Class-B"

2

NOTES

MYSORE GOVERNMENT SECRETARIAT

File No. PWD 345 TBP 58

Department of PUBLIC WORKS DEPARTMENT
(MAJOR IRRIGATION)
Mysore Government Secretariat,
Vidhana Soudha, Bangalore.

Section .....

Subject:

T. B. P. - Levy of water rate - orders issued.

References:

Date	To whom sent	Notes and instructions
Asha Kuntale 2/1/61		
		11/2/1-5 7-1-61

SRI K. SESHAGIRI RAO, I.A.S.,
Deputy Commissioner and Special Officer for Bellary.

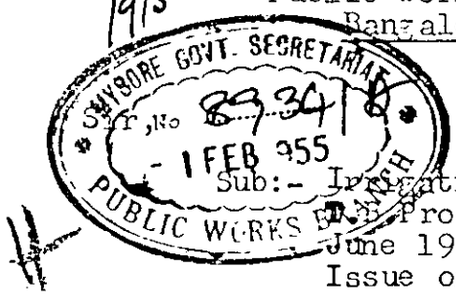
BELLARY,

Dated. 27th January *195* 5

DXOXNoSPUXX Rc. 384/55 A.2.

To

The Secretary to Government,
Public Works Department,
Bangalore.



Sub:- Irrigation- Major-Bellary District- T.B. Project- Supply of water from June 1954- Fixation of water rate- Issue of notification.

...

1) I enclose a copy of my letter R c No 5384/54 A2 dated 24.6.54 to the Revenue Commissioner, Bangalore, and his letter No Bl.P.R 433-43/53-54 dated 27.9.54 to the Government (Revenue Department) for information.

Yours faithfully,

for Deputy Commissioner.

BA/511
ksv 31.1.

2) Submitted for perusal 9 pages 1-9 C.F. [illegible]

3) In paras 28-34 of the notes on the file on the same subject it has been ordered as follows:-

file placed below

NOTE.—Contn. sheet

T.B.P. — Levy of water rate.

File No. of 195 . | Mysore Government Secretariat

Serial

"28. Levy of contribution and water rate will have to be done under the Irrigation Act which has recently been extended to Bellary. The question has also figured in the investigations of the Planning Commission team which visited the area recently.

29. It is proposed to pursue the matter in the P.W.Secretariat. Revenue Secretariat will be consulted at the appropriate stage.

Revenue Secretary) Inld) D.K.S.
16/6

For 30. For perusal.

Revenue Minister)

Inld) K.T.
17/9

31. Inld) K.M.
27/9

32. The abnormal delay in the transmission of the paper which had been mislaid is regretted.

Inld)

20-11-54.

Asst.Secretary, P.W.D.)

33. In view of the orders contained in paras 28 to 31 on the previous page contribution and water rate in respect of the Tungabhadra Project ayacut is likely to be fixed on the basis of the recommendations of the planning commission team (Sri Ramamurthi Committee). The report of that team has been received and it is likely to be discussed at a meeting of officers and action taken as per decisions to be arrived at. It is therefore for orders whether any action has to be taken on this file.

34. No action at present.

35. Inld) H.C. "
11/12

The recommendations of the Planning Commission team were discussed at a

WD 870/A GIP CO/CCC 645/54.

T.B.P. — Levy of water rate 3

Mysore Government Secretariat | File No. of 195 . 6027/8934/54 App. F. III 2 .57 pwd(AS)

Serial No.

Meeting of officers and the Govt of India (Planning Comm.) has been addressed regarding the several decisions taken at the meeting. The relative file has been submitted separately with D No. 8490/pwd and it is ~~requested~~ submitted to Minister for Agri thro the Home Secy.

4) Hence the action to be taken on the copies of communications received from the D.C. in the matter of issue of a notification regarding the levy of water rate on the T.B.P ayacut in the Mysore State is for orders.

pwd 11/2/55 — 5) The file is resubmitted with a copy of the decisions taken at the meeting of officers held on 12.2.55.

pages 10-12 C.F — One of the decisions reads as follows:

"Levy of water rate in respect of lands already irrigated:-

It is suggested that the procedure approved by the Govt of Madras may be followed. Action may be taken on the basis of the decisions already made".

6) In view of the above decisions ~~decisions~~ the levy of water rates at the scales indicated at "A" in the D.C's letter at page 1 C.F and the issue of the notifn referred to at page 12 C.F

NOTE.—Contn. sheet

T. B. P. — Levy of water rate —

File No. 6027/8934 of 195 [10309] Mysore Government Secretariat

PW(A)

Serial

are for orders ~~in the form in which the~~ with the concurrence of Rev and Financial Secretaries. The form in which such notifications were being published by the composite Madras State is not known. ~~The~~ A draft of the notification to be published will have to be called for from the D.C.

JWS 19/2/55 — SM 21/2 — 7) Yes, Call for — KC 26/2

8) ~~Submitted~~ with a draft for appn. as per para 7 supra.

JWS 3/3/55 — SM 3/3 — 9) [illegible] — 11 — 3/3

ISSUE PW(A)12-058(A) S-3-55

To the Dy. Comr. Bellary

Letter No. R.C. 384/55-A2 dated 14.3.55 from the Deputy Commissioner, Bellary District.

(a) Submitted for perusal of the D.C's letter at pages 14-16 C.F. The ~~question~~ entire question is, in brief, as stated below:-

(a) The Govt of the composite Madras ~~State~~ had notified under the

T.B.P. — Levy of water rates

5

Mysore Government Secretariat | File No. of 195 . | [App. F. III 2

Serial No.

vide page 15 C.F.

provisions of Madras Irrigation cess Act 1865 that the following rates shall be provisionally levied in respect of crops raised with the aid of water from the Tungabhadra Project:-

(1) Dry/Basal crops Rs 1/- per acre

(2) Early long duration paddy Rs 2/- "

(3) Late short-duration paddy Rs 3/- "

(4) Dry Irrigated Crops

(i) Food crop Rs 4/- "

(ii) Commercial crop Rs 6/- "

The following gradation was ordered to be adopted for levy of water cess:-

(1) First year of irrigation $\frac{1}{4}$th rate

(2) Second —do— $\frac{1}{2}$ "

(3) Third —do— $\frac{3}{4}$ "

(4) Fourth year and onwards Full rate

vide flag D.

(b) The Govt. of Andhra have adopted the same rates in respect of the Tungabhadra project ayacut in that State.

vide page 12 C.F.

(c) At the meeting of officers held on 12.2.55 it was decided that the rates approved by the ~~Govt.~~ Govt. of composite Madras may be followed.

pages 14 and 16 C.F.

(d) The D. C. Bellary Dist. has stated that the rates approved by Madras were ordered, by him, to be adopted for Fasli 1364 (1954) pending

NOTE.—Contn. sheet

T.B.P. — Levy of water rates

File No. of 195 . | Mysore Government Secretariat

Serial No.

orders of Govt. in the matter.

(c) The D.C. Bellary Dist. has requested that a formal notification stating that water will be made available to so many acres of T.B.P. ayacut on the Mysore side and that water rates as per the scales and gradation approved by Madras will be levied. — Vide pages 2 and 4 C.F.

(d) In this connection it has to be stated the Govt. of Madras published the notification about water cess under the provisions of the Madras Irrigation Cess Act 1865. Now the Mysore Irrigation Act has been extended to Bellary Dist — vide copy of The Mysore Irrigation (Second Amendment) Act 1957, placed below. It will be seen therefrom that if the Mysore Irrigation Act is applied to T.B. project by the publication of a notification, the provisions of the Madras Irrigation Cess Act 1865 (under which the D.C. wants the notification regarding water rates to be issued) becomes in-operative. With the application of the Mysore Irrigation Act to the project water rates can be levied only after holding the enquiry as specified in paras 26-29 of the Act and obtaining the previous consent of the President of India. Further if the notification as suggested by the D.C. has to be issued, details of lands to which water will be made available this year will have — Pages 17-19 C.F. — page 18 C.F. — page 19 C.F.

T.B.P. — Levy of Water Rates

Serial No.

to be obtained either from the D.C. or Spl. Cell.

12) Submitted for orders on the D.C's proposal with the concurrence of Rev. & Fin. Secretaries. The D.C. Bellary may be consulted un-officially, if necessary.

27/3/58

CW

13) A Committee has been Constituted only for the T.B.P - "TBP Irrign Dev Committee" Does not this Question Come under its purview now pl see.

bm 28/3

14) The committee constituted for deciding formulating proposals for contribution and Water rate deals with the general policy. ~~T.B.P~~ The question relating to T.B.P is a special one and requires consideration separately in the circumstances explained in para 11 supra.

A Committee has been Constituted even for this bm.

27/3/58

15) For Consideration if this Question may not be referred to the newly Constituted Committee - "T.B.P. Irrign Development Committee

Secy.
Pr.

bm 28/3

16) May we be considered by the Committee constituted for examining rates of Contribution & water-rate. Let they or committee put up their report

Yes
1/4

NOTE.—Contn. sheet

T.B.P. — Levy of water rates 10309

PW(A)

File No. of 195 Mysore Government Secretariat

Serial No.

17) Submitted with a draft for approval.
PW2
11/4/55

18) K) P for approval. Is this the draft?
Yes
12/4

bm
11/4 19) JS 11/4

D/4

Issued as No. PWA 283 dated 13-4-1955

No. 11526/GI. Office of the Chief Engineer of Mysore, Bangalore, dated 20-2-1956.

To

The Under Secretary,
Public Works Department, Bangalore.

Sir,

2136.

MYSORE GOVT SECRETARIAT No. 9382/A OFFICE

Ref: Your No.PWA.283/DRN.2-55-1 dated 13-4-55 forwarding the file pertaining to Tunga Bhadra Project - levy of water rate on the Ayacut.

---

20) In continuation of my letter No.9484/GI dated 30-12-1955, forwarding twentyfive copies of "the report of the Committee to examine the question of Water Rate and Contribution in respect of Irrigation projects in Mysore State", I write to return herewith the above file. The decision of the Committee is found vide paras 42 and 46(ii) of the report.

This was mixed up with the office file. The delay is regretted.

Yours faithfully,

H Seetharamaiah
Secretary,
Water Rate & Contribution Committee, Bangalore.

G.2/.20.2.

T.B.P. — Levy of water rates. 1 9

Mysore Government Secretariat

10309 File No. 9382 of 195 [App. F. III 2

Serial No.

21) Para 20 is for perusal with reference to para 16 above. The report of the Contribution and Water-Rates Committee is stated to be before the Cabinet. The proposal of the D.C. Bellary for a formal notification being issued stating that water will be made available to so many acres of T.B.P. ayacut on the Mysore side and that water rates as per the scales and gradation approved by Madras will be levied, is now for orders. In this connection para 11 is for perusal.

18/3/56. 19/3 22) This may kindly be awaited decision of Committee

Secy (P.W.D.)

23) As we proposed rates being received now & P.I. ascertain urgently

24) Ref: para 23. Draft submitted for appn.

22/3/56. 25) Done

To the D.C. Bellary

Despd No PWA 11347/25-3-56

Note.—Contn. Sheet

TBP — Levy of water rate & contribution 11
9382-D451
PWD(AS)

Letter No.Ref.C.3840/56 A.2 dated 17th April 1956 from the Deputy Commissioner, Bellary District, Bellary.

Forwards a report.

26) Submitted for perusal of pages 24-31 C.F. The Deputy Commissioner has reported that:-

(a) In 1954-55 water rate was not collected in respect of lands included in the T.B.P. Ayacut as the crops suffered for lack of timely irrigation and assured supplies and it was recommended to be waived.

(b) In respect of lands not included in the T.B.P. ayacut but irrigated with water from the Project, 1/4 of the water rate proposed to be levied by Madras Government, with a symbolic penalty equal to dry assessment was levied and collected during 1954-55.

(c) For the year 1955-56 the following proposals were made:-

i) For water used for the irrigation of lands included in the localised ayacut in accordance with the scheme, 1/4 the water rate proposed taking into consideration the crop ~~rates~~ raised.

ii) Water rate to be charged during 1955-56 for the actual extent irrigated and not for the entire Survey Number.

iii) For lands not included in the localised ayacut and irrigated without permission, levy of full water rate at the proposed rates plus penal water rate equal to the full water rate.

iv) For lands included in the localised ayacut but irrigated in violation of the localisation scheme, levy of 1/4 the proposed rate on the crop raised and penalty ~~equivalent~~ equivalent to one dry rate during 1955-56.

v) For lands not included in the ayacut but irrigated on account of seepage or other unavoidable circumstances levy of full water rate applicable to the crop, for 1955-56, and a light penalty.

27) It is stated that orders on the above proposals are awaited by the Deputy Commissioner. In this connection, it has to be stated that the Deputy Commissioner's proposals referred to above were dealt with in the Revenue Branch and orders have been issued with slight changes in G.O.No.R.10.2216-20/R.M.17-55-73 dated 16th May 1956 -- vide copy placed below.

Page 46 CF

28) Now the proposals of the Deputy Commissioner, Bellary for issue of a formal notification stating that water will be made available to so many acres of T.B.P. ayacut on the Mysore side and that water rates as per the scales and gradation approved by

Page 14 CF

TBP — Levy of water rate & contribution

Madras will be levied,' is for orders with reference to what is stated in para 11 above.

29) If, in view of what is stated in para 11, contribution has to be levied from 1956-57 onwards in accordance with the Report of the Water Rate and Contribution Committee and orders of Government thereon (vide copy placed below) pages 32-45 CF. the rates will have to be as follows:-

1. Contribution

A rate between the minimum of Rs.150/- and the maximum of Rs.500/- per acre

2. Water Rate

(a) To be levied on crop basis at the following rates:-

Classification		Rates
Irrigated dry	..	Varying from Rs.5 to Rs.8 per acre per annum
Paddy	..	Varying from Rs.8 to Rs.15 per acre per annum
Perennial including sugar-cane	..	Varying from Rs.15 to Rs.25 per acre per annum

(b) No water rate for growing manurial crops only

(c) Water rate if levied in addition to wet assessment, the total not to exceed the maximum water rate plus the dry assessment.

(d) Water rate levied on crop basis to be half (for the second and subsequent crops ~~during~~ grown during the same agricultural year) of the rate applicable to the main crop

(e) For lands irrigated for the first time under a new irrigation work, graded water rate, as follows, to be levied:-

I year .. 1/4 water rate

II year .. 1/2 water rate

III year & onwards Full water rate

(f) Contribution to be recovered in annual instalments not exceeding ten.

3. The holder of land benefited from the project to be given the option of paying not more than half the amount of contribution by surrendering from out of his holding, irrigable land under the same project subject to the extent so surrendered not being less than the minimum prescribed for forming a separate Survey Number.

30) The above rates are much higher than those proposed by the composite Madras Government (vide para 10a above). The Deputy Commissioner may perhaps be consulted unofficially whether the rates

TBP — Levy of water rate and contribution

9382 / 451 part(A)/3

based on the Committee's recommendations may be levied on the T.B.P. ayacut. Further, as per clause 4(2) of the Mysore Irrigation (Second Amendment) Act, 1954 (Mysore Act No.21 of 1954), the previous consent of the President of India is necessary for the levy of the rates based on the Committee's recommendations on the T.B.P. ayacut. * Page 19 C.F.

3/) Submitted for orders.

Mrs 23/5/56. Sen 24/5/56

3a) I dent think it is necessary to consult D.C.

The G.O of 11/5/56 issued in this behalf is applicable to the whole of Mysore not excluding Bellary. Only we have to obtain the assent of the President as required in the (Act No 21 of 54) the amendment to the Constitution —

Secy(PW)

28/5

A detailed note is placed below as per orders.

Mrs 29/5/56. Sen 29/5

3b) No levy ordered to be collected in for years 54-55-56-57 the G.O. dated 16.5.56 may be made applicable to the year 1956-57 with necessary modifications envisaged in the directions of the Committee Madras state. This is done as the formalities to be completed before the levy under the Mysore Irrigation Act can be revised to

TBP — Levy of water rate and contribution.

1015/Rg. 1954-5 — 1575/Rg

451 pw(A)

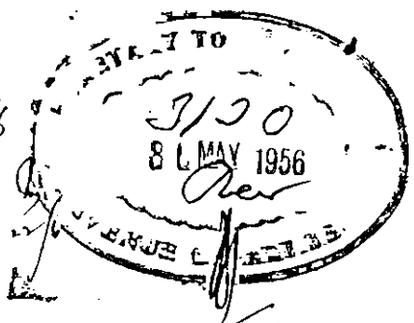
RM 16-56-11

will take time

Rev rep)

Secy P.L)

34) 22/6



35) Jr attnd

Mr: Rev Rdw)

36) 22/6

xxx

R,10

Dc

3026

37) 4/6

38) 6/7

39) 4/7

2/7

40) Orders regarding levy of water rate on T.B.P ayacut during 54-55 and 55-56 were issued from the Rev. Secrt — vide flag U. Orders regarding levy for 56-57 have also to be issued from Rev. Branch. Hence this may be referred to the Rev. Secrt. for urgent action about rates leviable during 56-57 and return of this file with a copy of the order.

Dc 9/5

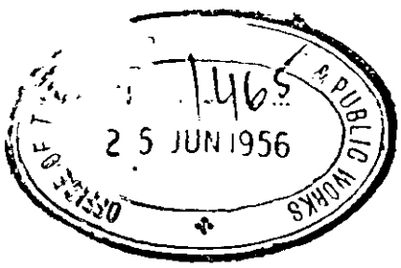
41) Rev)

Dc 9/5

42) 7/7/56.

43)

44) xxx



T.Bp — Levy of water rate and contribution.

451/prd(Rev) Rev. Misc. Pn. 293/prd 57 15

44) Necessary orders in the matter have since been issued and a copy of the same is attached. with this note, these papers may be returned to the P.W.D. together with the two files placed below.

x/p 17.

30/12/56

Sd/- 2.1.57

3.1.57

A.S. (~~A.O.D~~)

A.S. (P.W.D.).

x with 2 files.

45) Orders regarding the levy of water rate on T.B. Payaval in Bellary during 1956-57 have been issued from the Rev. Branch in G.O. No. R.10. 11876-879/R.M.16-56-12 dated 29.11.56 — vide page 58 C.F. Now the proposals in para 29-30 of the notes above are for consideration and orders.

(CW) pl speak
KA
19.1.57

17/1/57. 18/1/57

46) The proposals contained in paras 29-30 of the notes above cannot be implemented until the Mysore Irrigation Act is further amended as per the report of the enquiry committee and orders of Govt. thereon

T.B.P — Levy of water rate and contribution
45IAJ 993 5.(9.

Hence, it is a matter for consideration whether the rate levied for 55-56 & continued for 1956-57, may be further continued for 1957-58 also, by which time the amendments to the Irrigation Act could be expected to be finalised.

47) Rm 22/1/57 KR 21.1.1957 (Dy Secy (P&SD)

KR 22.1.57

48) CW Pl. bring up

KR 23/1/57

49) Rm 23/1/57

50) Seen. Let immediate steps be taken to issue act on amendment basis on an overall basis. As also, will take time, proposals may be put up for continuing water rate for 57-58 also

KR 23/1/57

51) Ref: para 50 above. Proposals for levy of water rate on the lands irrigated by the Tungabhadra project (Bellary Side) have been obtained from the D.C Bellary and orders passed by the Revenue Branch — Vide G.O. Nos P 10-2216-20/RM 17-53-75 dated 16.5.56 and P.10. 11876-879/R.M 16-56-12 dated 29.11.56. Hence the —

page 46
page 57

T.B.P — Levy of water rate and contribution.

Mysore Government Secretariat

451 AV 57 RRR File No. of 195 [App. F. III 2

Serial No.

2199 Rev (I T) dt 29/11/57

question of continuing the status quo for the year 57-58 has to be dealt with in the Rev. Branch. This may therefore be sent to the A/S. Rev (Foods) for further action and return of the file after issue of orders for the levy for 57-58.

Dms 24/1/57 23/1/57

This may please be marked to the Revenue Branch.

Ica 24.1.57

Dy. Secy PSD

640 29/1 A/S CT

Revenue Dept may kindly see

PSD 28-1-57 Dy Secy (PSD)

Dy Secy (R.D)

155, 29/1

Ica 29/1/57

D-3

Rev. (S.T.)

Taxes

57. Please see the note in the top-file. The letters containing the recommendations of the Dy Comm. Bellary are not traced. This enquiry d.o. till 28-4-57 or till the file returned to it is traced

Linked with Rev. Dept file of Di. No 53 R(MIS)/57

55. Proceed with the examination of the proposals on this file without awaiting further pl.

10/4/57 HBS 11.4.57

56). A draft G.O. continuing the water rates existing for the year 57-58 is put up in the L.F.

P.T.O.

Note.—Contn. Sheet

T/P (Bellary side) — Levy of water rate and Contra...

2199 / R(CT) File No. 993 / RW (M2) of 195 451 PWD 993 HS

Mysore Government Secretariat

Copies of R.O are marked to P.W.D. This may be returned to P.W.D.

12/4/57 (HS)

HS
12-4-57

AS. Rev (CT)

PWD)

Orders regarding the levy of water rate on T.B.P ayacut in Bellary during the year 1957-58 have been issued from the Rev. Dept. in G.O.No. RD 36 PWR 57 dated 27.5.57) — page 57. Now the proposals in paras 29-30 of the notes are for consideration and 59) orders. ; Paras. 46 and 50 may please be seen.

Serial No. 59-61

L.F - linked to file No 2334 of Rev(CT)

To be included in Rev

(Copies of G.O pp 59-61 CT are placed in the file. may be returned to PWD

11/1/57

Secy

N & CT

MYSORE GOVERNMENT SECRETARIAT
NO. MIS
29 JUN 1957
PUBLIC WORKS DEPT

SECRETARY TO GOVERNMENT
MS. 121
Date 29/6/57
PUBLIC WORKS & ELEC DEPTS

963

MYSORE GOVERNMENT SECRETARIAT
NO. 706
16 10
PUBLIC WORKS MAJOR IRRIGATION BRANCH

3/7/57

9/7/57

Dy. PWD/60) C.W. per speech 5/7/57

4/7/57

61) Discussed

This may be marked to Revenue for remarks. Put up to Secy on this return

8/7/57

62) The file is resubmitted with reference to the orders in para 61 above.

10/7/57 11/7/57

Secy PWD) 63) (W.M. May up 13/7/57

11.7.57

"Bp Bellary Scale) - Levy of water rate"

Mysore Government Secretariat

4706/KJ File No. of 195 .

[App. F. III 2

Serial No.

65) There is now a Bill before the Legislature and if it becomes law we can certainly levy betterment contribution & water rate. What else is required to be done?

18/7

66) In view of para 65 no further action seems necessary on this. It is therefore for orders whether this file may be closed.

18/7/57 18/7 67) may be filed for the present.

For Perusal

19.7.58

68) 24/7

69) File)

23/7/57

D/S pvt

Dy Def

3/1/58

Note.—Contn. Sheet

4706/5936
MJ

PWD 345 T/BPS 58.

Zg) POINTS TO BE PLACED BEFORE THE SECRETARY, PWD AT HEAD QUARTERS.

Mr. Mistri

LEVY OF CONTRIBUTION AND WATER RATE ON T.B.P. AYACUT ON THE BELLARY SIDE.

929.

71) Let us see connected papers. Mr. De Belly has raised a number of points.

72) With reference to para 71, the Relative file has been searched out and put-up. The notes in paras 58 to 69 above may kindly be seen as to which action on the file, sealed, may kindly be seen.

30/7/58

30/7/58

73) I do not want to pursue the Irrigation Act in regard to Betterment levy and water-rate by above problem. Recently, Mr. De Belly has again raised the question and he pointed out that there are certain legal provisions and

Levy of contribution and water rate on Trip system in Bellary Dist

Mysore Government Secretariat | 6936 File No. of 195 | [App. F. III 2 Govt 345 Tri

Serial No.

Consequently a levy of water rate has to be liable to be purchased. I remember there was a case in which sanction of action cannot be taken without approval of Govt for levy of water rates under the Mysore Irrigation Act as extended to Bellary. Where are the papers, does what is the action taken? The matter needs to be dealt with quickly as we cannot afford to let the Tungabhadra Project suffer prejudice to the revenue realisations.

RA
10/8

76) Ch
11/8

75) KL
11/8

76) After search and enquiries it is ascertained that the matter referred to at "A" above has been dealt with by the Rev. Dept in their file bearing No. RD 43 RWR 57 or so. Hence this may be referred to the Rev Dept. (B) for retransmission with the relevant papers for submission to Secy (Pwd).

Rev. Dept. (B)

KL
11

77) Rev. B. Br. may please be requested to make available the file in question immediately.

Supt. Rev (B)
17/10

Rev. Dept. (B)
17/10

25143
B

Dept 1 M 1578
Note Secy (Irrig)
6/15/59

Govt Secretariat Bangalore 1 20 OCT 1958 Revenue Branch

Govt Secretariat Bangalore 1 MI 1378 11 AUG 1958 Public Works & Elec. Dept

Govt Secretariat Bangalore 1 14388 22 OCT 1958 Revenue Branch

29-07
Regd

1433 A
(U)

File No. 5736 / 58 of 195 PWD 345 RBPS 58

Mysore Government Secretariat

Serial No.

78) The file bearing no. RD 43 RWR 57 has been marked to PWD on 18-8-58 and the same be obtained.

23/10 Supdt 4) 28/10/58

79) This may please be returned to P.W.D. in view of para 78.

(U) 29/10. (P W D) 31/10

M. VENKATAGIRIRAJU,
Under Secy., Rev. Dept.

SECRETARY TO GOVT. PUBLIC WORKS 31 OCT 1958 MI 2054

6P 4.11.58

80) This may be referred to the P.A. to Secy. PWD for indicating the section to which the file of the RD indicated in para 78 above was referred.

PWD 9/11/58

P.A. to Secy PWD) MCS 12/11/58

MYSORE GOVERNMENT SECRETARIAT NO. 12379 19 NOV 19 PUBLIC WORKS, GENERAL IRRIGATION BR.

81) The file bearing no. R.D. 43. R.W.R. 57 has been received in this section & the same has been sent to M/S. S.J. on 20/10/58 under our No. O.D. 2627.

14/11 Supdt. M.D. Sec) 15/11

SECRETARY TO GOVT. PUBLIC WORKS & ELEC. DEPTT. NMI 2-2-13 15 NOV 1958

82) This may be referred to the G.S. Section to make available the R.D. file referred to above.

Supdt G.S. Sec) MCS 17/11/58

15/11/58 PWD

Sri RS 15/11

Serial No.

5) The file in question was transferred to the M.I. Section on 21-8-58 vide D.no. 8334 G1. This may now be returned to M.I. Section.

Mgrt. 23/11

~~Deputy Sec(M.I.)~~ 24/11

241 R

×4) The file referred to in the para just above was sent to Rev. Dept. on 20.9.58 with D.O. No. 7457/PWD. Hence this may be referred to the Rev. Dept. for Retransmission with the file referred to in para 76 of notes above. R.D.

Bnk 2/12/58. AP 4-12-58

Mild 2/12/58

SECRETARY TO GOVERNMENT OF MYSORE No. 39687 6 DEC 1958 3 REVENUE DEPARTMENT

85 The file referred to in para 84 is placed below (flag D). The file referred to in Para 76 is the file containing Dr. Bellary's letter on which the D.C. has requested for certain clarifications with regards to the levy of water rate and Contribution on T.B.P. ayacut in Bellary dist.

3" Sri V.S. 6/12

B. Bor. may please however, make a search in that Bor. for w.f.c.

9/12

86) Pls see See Para 73' The D.O PDW3 RWR57 relates to Some other Subject There is no file in 'B' Bx

Note.—Contn. Sheet

Levy of contribution and water rate on TBP ayacut in Bellary dist.

Mysore Government Secretariat

5936 File No. — of 195 — RD 345 TBP 58

Serial No.

dealing with the subject matter of para 73 of notes.

In order.

Hrs 3/12

CS (V)
Rj up
3/12

(x) instructions issued.
24/1/59

(x) flag D.

87) R.P. file no. RD 43/RCOR-57 is put up below. The same may please be sent to P.W.D.

241
R. 18.

SECRETARIAT 21 JAN 1959 PUBLIC WORKS & ELEC. DEPT.

24/1/59
HRD/11

88) The file sent by R.D. vide flag D does not contain papers relating to the points referred to in paras 73 of notes. It will be seen from R.D's note at "B" in para 85 that the papers relevant to the point referred to in para 73 are available in some other file of that dept. Hence this may have to be referred back to R.D. for sending their file relating to the matter referred to in para 73 above.

5080

XXX

24/1/59
27/1/59

29.1.59

(87) On other file (no RD 12/CCOR-59 ~~43/RCOR-57~~) we have called for a copy of their dt. 26-12-57 from the D.C. Bellary. This may please be kept in await at this stage. For orders.

WD 6777 GPB PZS—300,000—28-10-57

28/1/59

PWD 345 TBP 58

Mysore Government Secretariat

File No. / of 195 .

[App. F. III 2

Serial No.

RD/6516/G/59

To SECRETARIAT 10 NOV 1959 M9 2688 PUBLIC WORKS & ELEC. DEPT.

V.D.

9) A copy of D.C.S letter of 26.12.57 is placed below (Flag. M). This may be sent to PWD.

11/11/59

PWD)

9) Submitted w.r.t. ref to para 23 note. What is required is not a copy of the letter of D.C., but the file containing the notes of the Secy. PWD. Also the R.D. may be requested to indicate the action taken by them in the matter.

11/11

u/pwd

24/11

RD)

MYSORE GOVERNMENT SECRETARIAT NO. 25 NOV 1959 REVENUE DEPARTMENT

9) The file of T.B. Project Bellary is ~~under submission~~ placed below RD 35 CWR 59. PWD may take ~~the~~ fresh extracts as it requires from that file. The file RD 12 CWR 57 in which the question of legality of levying water-rate in the Bellary area is under consideration, is under submission. That file was been sent to Secy PWD on 13-11-59.

26/11

26/11

PWD)

GOVERNMENT 30.11.59 M9 2766

Note.—Contn. Sheet

File No. 345 TBP of 1958.

Mysore Government Secretariat

Serial No. 9074

93) Submitted — in reply to [redacted] 91 ante.

As seen from paras 81-84 ante, the file required by PWD being the R.D No 43 RWR 57 (or 42 CWR 57) The file No 35 CWR 57 now made available by the R.D. or file No 12 CWR 57 (which has been referred to C.E. vide note No 638 TRP 57) contain the do not contain the scrip observation at para 73 ante. This may again be referred to the R.D. with a request to forward the relevant file and indicate the action taken by them on the observation made by the Supdg. Engr. P.W.D.

10/12 Sec 10/12/59. 10/12/59 US PWD

(9071)

MYSORE GOVERNMENT SECRETARIAT
No. Sn
11 DEC 1959
REVENUE DEPARTMENT

RN)

94) Though R.D had made available two files — RD 43 RWR 57 & RD 12 GWR 57 — PWD has stated that the information required by PWD is not available in those files. Since no references have been quoted by PWD it has not been possible to trace other files

Serial No.

of RD having reference to PWD's note

5/8.

5/8/60
U.S.(G)

P.W.D)

SECRETARIAT TO GOVERNMENT
No. 19155
18 AUG 1960
PUBLIC WORKS & ELEC. DEPTT.

95) Submitted with reference to para 75 and 93 ante. At this distance it is not possible to indicate in what file of RD the observations of Secy. PWD referred to in para 75 are contained.

96) However, as the question of application of Irrigation Rule to the Bellary Dist., is being dealt with by the RD this may be referred to at para 93)

~~this may be referred back to RD for further action.~~

22/8/60. In this no further action is called for. this may be recorded. Before the file is recorded, this may be referred to RD with a request to obtain their views placed below para 96 for compliance

22/8/60

25/8/60 RD

25/8 DS PWD

MYSORE GOVT. SECRETARIAT
No. 19155
24 AUG 1960
REVENUE DEPARTMENT

Note.—Contn. Sheet

File No. 6794 RD 9 of 195 PWD 345 TBP 58

Mysore Government Secretariat

Serial No.

97) Papers of RD are retained. This may be returned to PWD

30/8 P.WD. 30/8/60

98) submitted for perusal with ref to para 96 ante.

This may now be recorded (Class B)

5/9/60 stg 160

Yes 5/9

B 6/9/60

C. F. No. 45]

GOVERNMENT OF MYSORE

Tele gram / phone Depcom.

OFFICE OF
the Deputy Commissioner,
Bellary.

No Rc.No.5364/54 A2.
Encls.

Date 24th June 1954.

To

The Revenue Commissioner in Mysore,
Bangalore-1.

Sir,

Sub:- Irrigation - Major-Bellary District-Tungabhadra project- supply of water from June 54- Fixation of water rate- Issue of Notification- Proposals Report sent.

Ref:- Rc.No.B1/P.R 433-403/53-54 dated 16.6.54.

====

The Tungabhadra Project has been conceived as a famine relief project. The average ryot is very poor. The population is also thin and agricultural labour is inadequate for extension of wet cultivation. The ryots are not considered to be very industrious and the quality of agriculture is low. Now the question of levy of water rate has to be considered. The Government of Madras have provisionally published the rates to be levied in respect of the crops raised with the aid of water from T.B.P Reservoir. The Andhra Government have also adopted the same rates. They are given below:--

(i) Dry/assal crops Rs 18/- per acre.
(ii) Early long duration paddy Rs 12/- per acre.
(iii) Later short duration paddy Rs 7/- per acre.
(iv) Dry irrigated crops.

(1) Food crops Rs 4/- per acre.
(ii) Commercial crop Rs 6/- per acre.

These rates are subject to gradation in the levy of watercess i.e. ¼ of the rates specified in the first year of irrigation at ½ in the 2nd year; at ¾ in the 3rd year and at full rates in the 4th and subsequent years. If this graded levy of watercess is taken into consideration the amount which the ryot has to pay at the outset for utilising water for the irrigation of crops will not be much. These rates are reasonable and they may be recommended to be levied.

.....2.

2

2. The Executive Engineer, Special Irrigation Division, Bellary has furnished a statement of major and minor distributories ready for allowing water to an extent of 23,333 acres. A notification stating that water will be made available for irrigating 23,333 acres will have to be published. Action may kindly be taken for the issue of/formal notification in this regard. A copy of Rc.No.263/A/10.6.54 of the Executive Engineer, Special Irrigation Division, Bellary is enclosed.

Yours faithfully,

(S. ABDUL KAREEM)
for Deputy Commissioner.

ksv 25.6.
Encl: 2.

1. Copy of G.O.Memo No.17562/I/52-17 dated 13.7.54.
2. Copy of Rc.No.233-A dated 10.6.54 from the Executive Engineer, Special Irrigation Division, Bellary.

Copy of Government Revenue Department Memorandu m No. 17562 H/52-17 dated 13th July 1953.

Sub:- Irrigation - Tubgabhadra Project - Water cess - levy under the Irrigation Cess Act - Draft rules - objections.
Ref:- Memorandum No. 17652 H/52-14, Revenue Department, dated 1-6-53. From Sri. Venkoba Rao petition dt. 3-7-53.

A copy of the petition quoted is forwarded to the Board of Revenue ~~of~~ for remarks. The Board is requested to expedite its report called for in para 2 of the Memorandum quoted a reminder in respect of which was also sent in Memorandum No. 17662/H/53-12, Revenue, dated 3-7-1953.

/True Copy/

Copy of petition from Sri. G. Venkoba Rao, Retired Sub Registrar, Gandhinagar Ist Roa , Bellary dated 3rd July 1953.

I submit the following objections and suggestions regarding the draft rules uner irrigation cess act published in the Fort St. George Gazette Part I dated 1-6-53, in respect of the Tungabha ra Project lands.

I submit that the ra es of water cess provisionally levied too high for the famine districts of Bellary in the initial stages are concessions shown to the richer districts of circles, Hettur and Cauveri delta for the following reasons:—

The Government have provi ionally levied at the following rates:—

1. Duffasal crop per acre.	Rs 18/-
2. Early long duration paddy.	Rs 12/-
3. Later short duration paddy.	7/-
4. Dry irri_tion crop:-	
(1) Food crop.	Rs 4/-
(2) Commercial crop.	Rs 6/-

They have graded these rates at 1/4, 1/2, 3/4 and full rate from Ist to 4th year respectively.

In respect of Hettur project lands the Government in the past exempted the lands from payment of land revenue for a period of 5 years at the intitial stages because of the difficulties in bringing the lands into cultivation. In respect of other projects also th y have shown similar concession in the interests of development of agriculture. Subsequently the Government levied at the rate of Rs 5/- in Hettur and Cauvery daltas as water rate,, since 1930. The above concession has none become a permanent measure also. In the equally rich circar districts also the water rates are light viz, Rs 64/- in the Krishna and Godavari areas. (vide also Budget speech of the leader of the opposition and the admission of the public works Department Minister as reported in "The Hindue" dated 14-7-52.)

It is not known what sin Bellary district has committed for the enhancement of rates in the Tungabhadra Project. Possibly it may be due to the cost of construction. But it is well know that the Tungabha ra roject area is in the worst famine zone in the state and the project was sanctioned and executed as a protective scheme against a recurring famine and not as a revenue yielding one, It is therefore not just to levy rates at a higher level than in the Hettur, area. The circars and the southern districts are blessed both by the rain fall and irrigation scheme. The Bellary district is economically very poor and agriculture is not a paying proposition. The population in the project area is sparse as there a e no facilities of life and the area is famine ridden. If the dry project land is to be developed and made fit for ir igation investment of capital or levelling terracing and bunding, heavily manuring, and improvement of the texture of the soil are necessary. All this means money which the pe ple cannot afford for some years till the land is made to yield by the above soil processes. The Goverm ent is aware that for at least 5 years the la s will not yield properly and so in the past the Government have shown concessi ns of

4

land revenue by full exemption for 5 years in the case of Mettur and other projects and subsequently levied only Rs 5/- per acre in Mettur and Cauvery-deltas. The Bellary district also should be shown the same concessions atleast to enable the people to develop their lands against initial difficulties.

The speed of development is of essence in view of the food shortage. We should also make Rajaji's policy of decontrol of food a success. Water is now let into the canal from 1-7-53. But as things stand at present no land is levelled, terraced and bunded and made ready to receive water as the process requires mechanisation by way of tractors on a large scale and investment of capital. This important work is not done in advance of water supply unfortunately. The Agricultural Department is insisting upon advance payment at Rs 12/- per hour for levelling as per rules. Government has ~~sanct~~ sanctioned grant of loans but there will be delay and red taps in the grant of individual loans and actual payments. In view of all these difficulties it is necessary that the ryots should be free to bring the land into cultivation without the fear of prohibitive water rates at the initial stages. It is necessary that all the 8 lands should be levelled atonce by the Government as per their pilot Scheme and the cost recovered from the owners by the security of their lands and by their undertaking to abide by the rules of the Government in the matter of the recovery of the loan. The other formalities required may be carried out in due course to speed up levelling of the lands and starting cultivation.

In conclusion it is prayed:—

1. that the water rates should not be levied for a period of 5 years and concessional rates of a more liberal character than is done in the Draft Rules should be granted.

2. to take up levelling, terracing and bunding atonce by Government without insisting advance payment and creating an arrangement by which the loans granted could be recovered effectively without the formalities involving delay in the process of preparing the land for irrigation.

/True Copy/

for Dy Commissioner

~~District Head Clerk~~

5

Exe. Engineer
Copy of No. 263 M dated. 10.6.54 from the/Special Irrigation Division, Bellary.

Re:- Development of Ayacut below L.L.C. in Bellary Division.

Ref:- Your No. R.C. No. 5384/54 A2 dated. 4.5.54.

I write to state that I had contacted the Special Deputy Collector at Adoni in connection with the ayacut statement below L.L.C. in Bellary District. I was given to understand by him that the statement was under despatch to you.

In this connection it was pointed out that the localised ayacut comprising to nearly 92,000 and odd acres below Low Level Canal has not been notified in the Mysore Gazette as yet, objections called for and other formailities observed.

In the mean while I am enclosed herewith a statement of Major and Minor distributaries which are expected to be ready to take water by end of June 1954. The localised ayacut below the distributaries under the different crop patterns is also furnished.

I request that needful action may kindly be taken for publicity in the concerned villages regarding the availability of water for irrigation.

I am add here that due to some works that are in progress in the main canal water is likely to be allowed in the canal itself from the 1st of July 1954 only.

It was learnt at Adoni that some charges have been effected in the localised ayacut to the East of Hagari ise., ~~of Hagari~~ from 36 to 44. These charges have not been communicated to this office. I request that the details of ayacut survey ~~in~~ number war from 36 to 44 sluices may kindly be furnished to me.

/true copy/

p.t.o.

Statement of Major and Minor Distributaries (with their ayacuts) ready for allowing water in June 1954.

Name of Distributary.	Dry	Wet	Perennial.
SANAPURAM DISTRIBUTARY.			
1 L	448.00	--	--
1 L	--	140.00	--
2 R	--	140.00	--
2 R	448.00	-	--
3 T.E.	--	--	870.31
4 T.E.	--	--	1140.00
5 T.E.	--	--	654.00
MUDDAPURAM NO.1.			
1 L	--	65.42	--
1 L	219.66	--	--
2 R	--	100.02	--
2 R	324.75	--	--
3 T.E.	--	--	312.37
4 T.E.	--	--	513.68
5 T.E.	--	--	1306.34
D.P. No. 1	207.85	75.25	204.00
" 2	--	--	669.86
3	--	--	187.82
MUDDAPURAM NO.2.			
1. R	821.36	--	--
1 R	--	254.38	--
2 T.E.	--	199.55	..
3 T.E.	623.78	--	--
3 T.E.	--	168.77	--
3 T.E.	545.15	--	--
4 T.E.	--	130.05	--
4 T.E.	422.54	--	--

p.t.o.

NADIVI DISTRIBUTARY:	Dry.	Wet.	Perennial.
1.R.	48.00	...	---
2.R	112.06	---	---
D.P.No.4.	162.38	80.24	---
" -5.	129.85	---	---
" 13.	159.88	---	---
" 14.	67.25	29-96	---
" 15	78.00	---	---
" 16.	48.49	15.09	---
BALAKUNDI DISTRIBUTARY.			
1.R.	---	--	273.51
2.R.L.	---	---	152.51
3 T.E.	---	---	260.10
MYLAPURAM NO.II.			
1.L.	---	---	103.36
2.R.	---	--	115.06
3 T.E.	---	---	64.46
4 T.E.	---	---	295.49
MYLAPURAM NO.I.			
1.R.	---	---	91 29
2.L.	---	---	90.65
3 T.E.	---	---	70.83
4 L.	---	---	78.60
5 5 T.E.	---	---	678.98
BHAGAWADI.			
16 L.	---	---	493.05
22 R.	---	---	81.18
20 R.	---	---	113.13
21.L.	---	---	471.59
23.L:	---	---	281.10
D.P.No.21.	641.09	199.02	---
17(A)	420.91	...	---

MUDATANUR.	Dry.	Wet.	Perennial.
2L.	862.18	---	---
2 L.	...	279.46	---
D.P.No.29	592.85	191.26	---
D.P.No.26	...	---	1356.00
" 27	---	---	462.00
" 29	464.39	145.46	---
" 30	513.45	160.02	---
" 32	224.83	74.08	---
" 33	208.00	90.31	---
D.P.38 3L	... 56.94	55.93 ...	---
D.P.39 4L	--- 17.22	15.00 ---	--- ---
D.P.40 5 L 5L	104.48 ---	... 89.53	--- ---
D.P.42 6L 6L	47.00 ---	--- 30.78	---
D.P.No.42 7L	37.78	---	---
7L	---	27.50	---
D.P.43 8 L	153.49	---	---
8 L	---	20.17	---
Totals:	9211.61	2718.25	11404.06
Grand totals:	9211.61	2718.25	11404.06
	---	23333.92	===

B.Krishna Iengar.
Exe.Engineer.Spl.Irr.Divn.
Bellary.

/True copy/

~~District Head Clerk.~~

For Dy Commissioner

Copy of letter No. Bl.P.R 433-43/53-54 dated 27.9.54 from the Revenue Commissioner in Mysore, Bangalore to the Secretary to the Government of Mysore, Revenue Department, Bangalore marking a copy to the Deputy Commissioner, Bellary.

...

Sub: IRRIGATION- Bellary District- Tungabhadra project- levy of water cess further report.

Ref:- 1) Your Un-official note dated 10.6.54.
2) This office letter No Bl.P.R 433-403/53-54 dated 14.7.54.
3) Your letter R.893/5 dated 17.9.54 enclosing the letters of the Andhra and Hyderabad Government on the subject in question.

...

With reference to the above subject and in continuation of my reply to your Un-Official Note 1st cited above, I write to state that the rates of water cess adopted in the Andhra State, for irrigation under the Tunga Bhadra Project may be adopted in this state as well.

A copy of Government Order R.S.No 509 dated 25th March 1954 of the Andhra Government is enclosed for ready reference.

Early orders of the Government may be obtained on the question of the levy of water cess.

True copy

for Deputy Commissioner.

ksv

Meeting of Officers held on Saturday the 12th February 1955 in the room of Secretary to Government, Public Works Department, Old Public Offices, Bangalore, in connection with Tungabhadra Project.

Members Present

1) Sri [illegible] Srinivasachar, B.Sc(Hons), I.A.S., Secretary to Government, Public Works Department.

2) Sri H.Ananthachar, B.E., A.M.I.E.(Ind.), Chief Engineer of Mysore, Bangalore.

3) Sri T.Ramaswami Iyengar, B.A., B.E., Special Chief Engineer for Major Irrigation Works, Bangalore.

4) Sri K.Seshagiri Rao, M.A., LL.B., I.A.S., Deputy Commissioner, Bellary District.

5) Sri M.Mallaraj Urs, B.Sc., B.Sc(Edin)., Deputy Director of Agriculture.

The question of

7. Continuance of staff for acquisition, rehabilitation, Special Irrigation Division and other allied offices Action will be taken on the basis of the recommendations already made.

8. Levy of water rate in respect of lands already irrigated;

It is suggested that the procedure approved by the Government of Madras may be followed. Action may be taken on the basis of the decisions already made.

(D. Srinivachariar)
Secretary to Government,
Public Works Department.

8934 PW(AS)

Subject: Irrigation - Major- Bellary District -- Tungabhadra Project - Supply of water from June 1954 - Fixation of water-rate -- Issue of notification.

To

The Deputy Commissioner,
Bellary District, BELLARY

Sir,

Subj: as above.

Ref: 1) Your letter No.R.C.5384/54-A.2 dated 24-6-54 addressed to the Revenue Commissioner.

2) Your letter No.R.C.384/55.A2. dated 27-1-55.

3) This office No.PWA.11542-44/ Iron.2-54-296 dated 17-2-55.

I am directed to state that it is not known in what form notifications were being published by the Composite Madras State in regard to supply of water to lands and levy of water-rate . I am therefore to request that the draft of a notification (and statements, if any, to accompany it) referred to in para 2 of the communication first cited may kindly be sent urgently to enable further action.

Yours faithfully,

3/3

Secretary to Government,
Public Works Department.

3/3/55

4f-4/3

Rpr.

GOVERNMENT OF MYSORE.

Rc.No 384/55 A.2. Office of the Deputy Commissioner, Bellary dated 14.3.55.

MYSORE GOVT. SECRETARIAT No. 103941 21 MAR 1955 PUBLIC WORKS BRANCH

SECRETARY TO GOVERNMENT Date 21/3 PUBLIC WORKS & PWR. DEPTT.

The Assistant Secretary to Government,
Public Works Department,
Bangalore.

Sir,

Sub:- IRRIGATION- Major- Bellary District- T.B. Project- Supply of water- Fixation of water rate- orders requested.

Ref:- Your No.PWA 12038 dated 5.3.55.

...

I issued instructions to my subordinate officers to adopt the rates provisionally published by the then Government of Madras for Fasli 1364 only, pending receipt of Government orders in the matter. I also submitted a report to the Revenue Commissioner in Mysore, Bangalore, in this regard. A copy of my letter is enclosed for favour of information.

2.A copy of the draft notification issued by the Government of Madras in regard to levy of water rate is enclosed for perusal. I request that a similar notification may be caused to be published in the Mysore Gazette.

Yours faithfully,

for Deputy Commissioner.

ksv 17.3.

N O T I F I C A T I O N.

The following draft of certain rules which it is proposed to make in exercise of the powers conferred by section 1 of the Madras Irrigation Cess Act, 1865(Madras Act VII of 1865) is hereby published for general information, as required by section 3 of the Madras Irrigation Cess (Amendment) Act 1900(Madras Act V of 1900).

DRAFT RULES.

1. the following rates of water cess shall be provisionally levied in respect of the crops raised with the aid of water from the Tungabhadra Project.

(i)	Dufassal crops	Rs 18/- per acre.
(ii)	Early long duration paddy	12/- per acre.
(iii)	Later short duration paddy	7/- per acre.
(iv)	Dry irrigated crops:-	
	(a) Food crop	4/- per acre.
	(b) Commercial crop	6/- per acre.

2. The following gradation shallbe adopted in the levy of water cess:-

At one-fourth of the rate specified in rule 1 in the first year of irrigation,

At half such rate in the second year of irrigation,

At three fourths of such rate in the third year of irrigation, and

At full rate from the fourth year onwards.

2/3

for Deputy Commissioner.

ksv 17.3.55 18.3.55

Copy of this office letter No.Rc.No 384/55 A.2 dated 7.2.55 addressed to the Assistant Commissioner, Hospet.

...

Sub:- Irrigation- Major-Bellary district- T.B. Project- Supply of T.B.P water- Fixation of water rate.

Ref;- 1.Your L.Dis 12960/54-C dated 31.12.54.
2.No.4466/54 A.1 dated 29.12.54 of the Tahsildar, Hospet.

...

You may instruct the Tahsildars of your division to adopt the water rates notified in the District Gazette Extraordinary dated 30.6.53 for the current fasli 1364 only, pending issue of further orders in the matter.

You may charge water rate at $\frac{1}{4}$ of the rates specified in the notification, during F 1364, pending fixationof rates by Government, in respect of lands included in the ayacut. Regarding lands not included in the ayacut, the use of water is unauthorised and cannot be countenanced. In such cases full water rate and maximum penalty should be levied. Further use of water should be prevented when the lands are not included in the ayacut.

True copy

Copy of this office Letter No.Rc 384/55 A2 dated 7.2.55 addressed to the Revenue Commissioner in Mysore, Bangalore.

...

Sub:- Irrigation- Major- Bellary District- T.B.Project- Supply of water- fixation of water rate- orders.

Ref:- 1.This office Rc.No 5384/54 A2 dated 24.6.54.
2.This office Rc No 384/55 A2 dated 25.1.55.

...

I invite your attention to the reference cited above and request very early orders in the matter.

2. As the Jamabandi of the taluks is fast approaching I have directed the Tahsildars to adopt the rates notified in the gazette dated 30.6.53 for F.1364 only, pending receipt of Government orders in the matter. A copy of my letter dated 7.2.55 to the Assistant Commissioner, Hospet, is enclosed. I request that my action may be kindly approved.

True copy

3/3 Illegible F351

for Deput. Commissioner.

ksv 17.3.55

18-3-55

A

GOVERNMENT OF MYSORE

LEGISLATIVE DEPARTMENT

MYSORE ACT No. 21 OF 1954.

(*First published in the* Mysore Gazette *on the Nineteenth Day of August 1954.*)

THE MYSORE IRRIGATION (SECOND AMENDMENT) ACT, 1954.

(*Received the assent of the President on the Fourth Day of August 1954*).

An Act further to amend the Mysore Irrigation Act, 1932.

WHEREAS it is expedient to extend the Mysore Irrigation Act, 1932 (Mysore Act I of 1932) to Bellary District and to amend the said Act for this purpose;

It is hereby enacted as follows :—

1. **Short title.**—This Act may be called the Mysore Irrigation (Second Amendment) Act, 1954.

2. **Amendment of section 1 of Mysore Act I of 1932.**—(1) Section 1 of the Mysore Irrigation Act, 1932, (hereinafter referred to as the principal Act), shall be re-numbered as sub-section (1) of that section and after the section as so re-numbered, the following sub-section shall be added, namely :—

"(2) It extends to the whole of the State of Mysore."

(2) In the marginal note, for the words "Short title" the words "Short title and extent" shall be substituted.

...iendment of section 2 of Mysore Act I of 1932.—In section 2 of the principal Act,

(1) in the marginal note for the words "Extent and Commencement", the word "Application" shall be substituted;

(2) in the first paragraph, for the words "extend this Act", the words "apply this Act" shall be substituted; and

(3) in the second paragraph, for the words "is extended", the words "is applied" shall be substituted.

4. Insertion of new section 2A in Mysore Act I of 1932.—After section 2 of the principal Act, the following section shall be inserted, namely :—

"**2-A. Repeal and savings.**—(1) On the date of application of this Act or any portion thereof to any local area or to any irrigation work or class of irrigation works in Bellary District by a notification under section 2, such of the Acts specified hereunder or any portion thereof and the rules and orders made thereunder as in force in Bellary District, as are specified in the said notification shall, in respect of that area or any irrigation work or class of irrigation works, stand repealed :—

(1) The Madras Irrigation Cess Act, 1865 (Madras Act No. VII of 1865), (2) The Madras Irrigation (Voluntary Cess) Act, 1942 (Madras Act No. XIII of 1942), (3) The Madras Irrigation Works (Repairs, Improvement and Construction) Act, 1943 (Madras Act No. XVIII of 1943) and (4) The Madras Irrigation Tanks (Improvement) Act, 1949 (Madras Act No. XIX of 1949):

Provided that if any of the aforesaid Acts is not specified in the notification, such Act or such portions thereof, as are inconsistent with the provisions of this Act as applied by the said notification, shall be deemed to have been repealed.

Provided further that such repeal shall not affect—

(*a*) the previous operation of the said Acts, rules and orders, or anything duly done or suffered thereunder;

(*b*) any right, privilege, obligation or liability acquired, accrued or incurred under the said Acts, rules or orders; or

(*c*) any penalty, forfeiture or punishment incurred in respect of any offence committed against the said Acts, rules and orders; or

(*d*) any investigation, legal proceedings or remedy in respect of any such right, privilege, obligation, liability, forfeiture or punishment

as aforesaid, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if this Act or any portion thereof had not come into force.

(2) Any rule or order for the fixation of the rates and other incidents of any tax to be made under this Act on its application to any works connected with the utilisation of the waters of the Tungabhadra Project, shall be made only after the previous consent of the President of India has been obtained to the making of such rule or order."

Price: Re. 0-1-3

WD 3108--GPB—1,695—24-8-54

Appendix F.G.—1]

10309 PWD(AD) 20

SUBJECT Tungabhadra Project — Levy of water Rate on the ayacut —

Diary No. of letter replied to

Mysore Government Secretariat

( )

the *195* .

Date of issue

Signed by

One Spare copy please.

List of enclosures

Copied by

Examined by

Section D 2nr.

File No. 2-55.

Serial No. 1.

No. PWA. 283

To 5/3/4/55.

The Techl. Asst. to the C.E. of Mysore and Secy. to the Committee for Re-examination of Contribution and water Rates in respect of Irrigation Projects at Mysore Bangalore.

Sir,

I am directed to forward herewith the complete file of the Secretariat relating to the levy of water Rate on the lands in the Tungabhadra ayacut on the Mysore side and to request that it may be placed before the Committee

for the re-examination of contribution and water rates in respect of irrigation projects in Mysore, at the next meeting and their final decision on the subject may be intimated for orders of Govt.

The file may be returned with the final reply.

Yours faithfully

Secy to Govt
Irrigation
11/4/35

GOVERNMENT OF MYSORE 10309 pw(A) 22

No. PWA 283. Encl. complete file of the Secty.

Mysore Government Secretariat,

Dated, Bangalore, 13 April *1955*.

Drrm 2-55-1.

FROM

Asst. *Secretary to the Government of Mysore,*
Public Works Department.

To

The Technical Assistant
to the Chief Engineer of Mysore and
Secretary to the Committee for re-
examination of contribution and
water rates in respect of Irrigation
Projects in Mysore, Bangalore.

Sir,

Subject:- Tungabhadra Project - Levy of Water rate on the ayacut.

I am directed to forward herewith the complete file of the Secretariat relating to the levy of water rate on the lands in the Tungabhadra ayacut on the Mysore side and to request that it may be placed before the Committee for the re-examination of contribution and water rates in respect of irrigation projects in Mysore, at its next meeting and their final decision on the subject may be intimated for orders of Government.

The file may be returned with the final reply.

Yours faithfully,

H. C.

(H. Channiah)
Asst.Secretary to Government,
Public Works Department.

y/c

kh. Sus A, 22/5/55.

(2) PWA 5211 dt 15-9-1955
4 " 8513 dt 30-12-1955

9382
PWA

[M. G S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(*Continuation sheet draft form*).

P.WA.11347 @/25-3-1956

Irrigation – Major – Bellary Dist – Tungabhadra project – Supply of water – Fixation of water rate – &

The Deputy Commissioner,
Bellary Dist – Bellary.

Sir,

Ref: (1) your letter No. R.C.5384/54 A2 dated 24.6.54 addressed to the Rev. Commr.

(2) your letter No. RC.384/55. A2. dated 14.3.55.

With reference to the communications cited, I am directed to enquire whether the rates proposed in the reference (1) above are being recovered now.

A reply may kindly be furnished urgently to enable further action.

Yours faithfully

for 21/3

WD 04860—GPB—40,000—22-1-54

22/3/56

Secy to Govt
PWD

Copy of letter Ref.C.No.384/55,A.2 dated 12-12-55 from the Deputy Commissioner, Bellary, to the Revenue Commissioner in Mysore, Bangalore.

Sub: Irrigation - Major - Bellary District - Irrigation of lands under the Tungabhadra Project - Levy of water rate - 1955-56 - Instructions - Requested.

Ref: 1. This office Rc.No.384/55,A.2 dated 29-8-1955.
2. Your No.B1.PR.433-403/53-54 dated 19-11-1955.

I invite your kind attention to this office reference cited first above. There, I proposed that orders of Government might be obtained to the -

(a) waiving of water rate in respect of lands included in the localised ayacut for 1954-55,

(b) Charging full water rate and symbolic penalty equivalent to one dry rate in respect of lands not included in the ayacut, but irrigated unauthorisedly.

These recommendations related to the year 1954-55. Orders are still awaited. Orders of Government regarding the rates of levy on different crops raised in the ayacut of the Tungabhadra Project are also not received (Please see my proposals dated 29-8-55).

2. Jamabandi for 1955-56 is fast approaching, and the Tahsildars have to be instructed in good time in the matter of levying water rates on lands irrigated in the current year.

3. I, therefore, seek your approval to the following course of action proposed to be adopted by me for 1955-56, pending receipt of final orders of Government.

a) <u>Authorised irrigation i.e., irrigation of lands included in the localised ayacut in accordance with the scheme.</u>:-

An authenticated list of survey numbers for which field bothis are ready, and which are assured of water supply during 1955-56 will be obtained from the Executive Engineer, Special Irrigation Division, Bellary. Where water is used for the lands noted in the lists, 1/4 the water rate (recommended by me in this office letter No.384/55 dated 29-8-55) will be levied for the year 1955-56 taking into consideration the crop raised. The Tahsildars will be instructed to charge water rate for the actual extent irrigated, and not for the entire survey number. As this is practically the first year of irrigation for most lands, the holders may be shown the concession of limiting the water ~~rate~~ rate to the area actually irrigated. The holders will however

be notified that from the year 1956-57, this concession will not be available and that all the lands furnished by the Executive Engineer in the list will be charged at 1/2 the notified rate during 1956-57 and so on, irrespective of the fact whether the holders have irrigated the entire irrigable holding during 1955-56 or not. This measure is calculated to put pressure on the holders to bring their lands under irrigation expeditiously.

b) (i) Unauthorised irrigation, i.e., irrigation without permission of lands not included in the localised ayacut.

In cases of irrigation of lands falling in the above category, charge for water will be made according to the instructions contained in Madras B.S.O. 4 (Appendix H - Page 136, Volume I). Full water rate at the proposed rates plus penal water rate equal to this charge will be levied.

(ii) Unauthorised irrigation of localised lands i.e., irrigation of lands included in the localised ayacut, but such irrigation being in violation of the scheme, i.e., raising perennial or wet crop in semi-dry areas or raising perennial crops in wet lands.

In such cases, water cess will be levied at 1/4 the propsed rate, on the crops raised. As it would constitute also a violation of the scheme of irrigation, penalty equivalent to one dry rate will, also be charged for this year, 1955-56.

(iii) Unauthorised irrigation, ie., irrigation of lands not INCLUDED IN THE AYACUT; BUT IRRIGATED ON ACCOUNT OF SEEPAGE AND OTHER UNAVOIDABLE CIRCUMSTANCES.

According to the instructions contained in Note I under Madras B.S.O. 4, Para 9 - Page 5 - water rate has to be levied, when it is known that the water obtained by percolation has been beneficial to or sufficient for the requirements of the crop. In such cases, I propose to levy full water rate applicable to the crop for 1955-56 and a light penalty.

4. Pending Government orders in the matter, I rpopose to issue instructions to the Tahsildars in the district to adopt the above procedure regarding the levy of water rate for this year, 1955-56. I request you to approve of ry proposal and obtain early orders of Governrent in the matter.

/ True copy /

KVNC.18.4.

Deputy Commissioner.

Rc.NO. 384/55 A2 Office of the Deputy Commissioner,
Bellary, dated: 29-3-55.

To
The Revenue Commissioner in Mysore,
Bangalore.

Sir,

Sub:- Water rate - Lands under Tungabhadra Project - Bellary District - Levy of - orders -

Ref:- Your letter NO.B1-PR-433-403/53-54, dt. 30-4-55.

The Government of Madras had proposed to levy the following rates of Water cess provisionally in respect of crops raised with the aid of water from the Tungabhadra Project and a notification in this regard was published in the Bellary District Gazette dated 24-6-1953.

i.	Duffasal crops.	Rs. 18/- per acre.
ii.	Early long duration paddy.	Rs. 12/- " "
iii.	Later short duration paddy.	Rs. 7/- " "
iv.	a. Food crop (By irrigation crop)	Rs. 4/- " "
	b. Commercial crops.	Rs. 6/- " "

Note:— The following graduation shall be adopted in the levy of water ~~cess~~ cess:—

i. At one fourth of the rates specified, in the first year of Irrigation;

ii. At half such rate in the second year of irrigation;

iii. At three fourths of such rate in the third year of irrigation; and

iv. At full rate from the fourth year onwards.

2. In my Ref:C.NO. 5384/54 A2, dt. 24-6-54, I proposed to adopt the same rates, and you were pleased to recommend them to Government, in your NO.B1-PR-433-43/53-54, dt. 27-9-54. As the jamabandi of the taluks was fast approaching, I directed the Tahsildars to adopt their rates for the year 1954-55 (Fasli 1364), pending final orders of the Government, and I request in my reference NO. 384/55 A2, dated 7-2-55 that my action in doing so might be approved. No orders have been passed so far.

3. In the meanwhile, representations were made to me during the Huzur Jamabandi of Sirugupa taluk in March 1955, by the ryots owning lands in the localised ayacut under the T.B.Project that the use of T.B.P water did not improve the crops that year (1954-55) and that the

water-rate might be remitted. The Hon'ble Minister for Agricultur to whom similar representations were made was of the opinion that the matter required adequate consideration. An extract from his tour notes is enclosed. I therefore issued instructions to the Assistant Commissioners, Hospet and Bellary and the Tahsildars to inspect the crops and submit reports and not to book the demand pending final decision in the matter. I reported this fact to you, in my Ref: C.NO.384/55-A2, dt. 15-4-55 and promised a further report.

4. The Assistant Commissioners and the Tahsildars have submitted their reports after making inspections and enquiries. The Tahsildar Bellary has reported that the pattadars of the lands were not aware that water-rate would be charted for that year; that in fact the ryots were encouraged to make use of the canal water freely so that water might not be wasted; that water was taken for a short period; that the irrigation was not timely; that the crops did not fare well, and that the ~~yakkk~~ yield was very poor.

In Siruguppa taluk, the use of water from the T.B.P.canal was untimely, Field bothies were not ready in respect of many of the fields and lands had not been levelled for uniform irrigation. Water was allowed to pass through the fields resulting in unsystematic and ineffective irrigation. The crops did not improve by such irrigation. The Assistant Commissioner, Bellary and the Tahsildar Siruguppa have recommended the waiver of water-rate.

As regards Hospet taluk, the Assistant Commissioner, Hospet inspected some representative fields in some villages. He has reported that the yield was not quite low; but still it is fair to show some concessions to the ryots this time, as a measure of encouragement in view of the fact that the ryots have spent considerable amounts to convert their dry lands into wet.

The Assistant Commissioner, Bellary and the Tahsildar Bellary have further recommended that the water rates may be waived for 1954-55 only in ~~respect~~ respect of lands included in the localised ayacut and that full water-rate and a ~~symb~~ symbolic penalty equivalent to one

to one dry rate may be levied in respect of lands not included in the ayacut, to indicate the objectionable nature of irrigation.

5. I accepted the proposals so far as they related to the lands not included in the ayacut. They constitute the unauthorised use of water. I accordingly directed the Tahsildars to charge full water-rate and a symbolic penalty equal to one dry rate for such lands.

As regards lands included in the localised aycut, I have obtained details of financial implications etc., in case of waiver of water-rate. The following amounts are involved in different taluks as worked out at the notified rates. (1/4th the rates to be charged in 1954-55, being the first year of irrigation). The extents irrigated are also furnished.

	Extent irrigated in the Localised Ayacut.	Amount at 1/4 water-rate.
	Acs.	Rs.
Bellary.	945-01	1,380- 9- 0
Sirugupa.	287-48	342- 5- 0
Hospet.	806-07	1,897- 1- 0
Total:	2038-56	3,619-15- 0 or 3,620-0-0

I have considered the proposals and the financial implications. I recommend that water-rate may be waived in respect of the lands included in the localised ayacut for 1954-55 only, as the crops sufferred for lack of timely irrigation and assured supplies. The Tahsildars will be informed that the above concessions with regard to the lands included in the ayacut will not be extended to this year 1955-6 onwards.

6. I request that Government may be addressed to approve my action in charging full water-rate and symbolic penalty for lands not

31

not included in the localised ayacut and (ii) to waive the water-rate in respect of lands included in the localised ayacut, for the year 1954-55 only. I further recommend that the Government may be pleased to issue early orders, regarding the water-rates to be levied, with effect from 1955-56.

Yours faithfully,

(B.M.Lakshmipathiah)
For Deputy Commissioner.

dsc. 30.8

/True Copy/
3/3
Deputy Commissioner.
18/4

Report of the Committee on water rate and contribution in respect of Irrigation Works in the Mysore State, and orders of Government thereon.

S.O.

GOVERNMENT OF MYSORE

PUBLIC WORKS DEPARTMENT.

G. O. No. P.W.A. 934-41—Irn. 10-56-1, dated 11th May 1956.

Water Rate and Contribution.

Accepts the recommendations of the Committee constituted to examine the question of rationalisation of scales of —— in respect of irrigation works in the Mysore State, with certain modifications.

READ—

1. Government Order No. P.W.A. 5657-63—Irn. 2-54-176, dated 28th August 1954, constituting a Committee with the Minister for Agriculture as Chairman and with the officers designated below as members, to examine the question of rationalisation of scales of water rate and contribution in respect of irrigation works in the State.

Chairman.

Dr. R. Nagan Gowda, M.Sc., Ph.D.

Members.

The Revenue Commissioner in Mysore.
The Financial Secretary to Government.
The Revenue Secretary to Government.
The Secretary to Government, Public Works Department
The Chief Engineer of Mysore.
The Special Chief Engineer for Major Irrigation Works.

Secretary.

The Technical Assistant to the Chief Engineer.

2. Letter No. 9456-G.I., dated 28/30th December 1955, from the Secretary of the Committee forwarding the report of the Committee.

ORDER THEREON No. P.W.A. 934-41—IRN. 10-56-1, DATED BANGALORE, THE 11TH MAY 1956.

The system of levy of contribution and water rate in respect of irrigation projects has been in force in the State for several decades past. One of the earlier orders of Government on the subject referred to the various factors that have to be taken into account in determining the scales of contribution and water rate in any particular case. In accordance with this order, contribution and water rate are being fixed in each individual case with reference to the cost of the project, the nature of the area in which it is to be located, the estimated increase in the value of the lands benefited by it, the capacity of the prospective beneficiaries to bear the levy, the normal expenditure on the maintenance of the project, the return expected on that portion of the cost which is met by Government and other relevant considerations. There had, however, been no attempt at defining the monetary limits for the levy or at fixing the minimum percentage return or even at laying down basic principles to be followed in fixing the levy in individual cases. The question of rationalisation of the basis for the

levy has therefore been under the consideration of Government for some time past. A Committee was constituted to go into the entire question and to furnish its report. The Committee after going through and reviewing—

(*i*) The several Government Orders which enumerate the considerations governing the levy of contribution and water rate;

(*ii*) The provisions of the Minor Tank Restoration Act;

(*iii*) The provisions of the Irrigation Regulation of 1916 as amended in 1923; and

(*iv*) The provisions of the Irrigation Act of 1932 as amended in 1952;

has submitted its report, a copy of which is appended hereto. The main recommendations of the Committee are briefly indicated below:

(1) No contribution or water rate need be levied on works costing Rs. 2,500 or less and no contribution need be levied in cases of restoration or improvement which results only in regaining the lost capacity or in assuring water supply to the existing atchkat, except to the extent of enforcing the ryots' liability for the proper maintenance of the work;

(2) As a general rule, the net return on the Government share of cost from any project costing more than Rs. 50.000 shall be not less than 3 per cent and the net return on projects costing Rs. 50,000 or less shall be not less than 2 per cent;

(3) Contribution for restoration and improvement works will be fixed at a maximum of Rs. 300 and a minimum of Rs. 75 per acre;

(4) In the case of new irrigation works costing more than Rs. 50,000, the maximum and the minimum rates of contribution to be levied will be Rs. 600 and Rs. 150, respectively, while in the case of those costing Rs. 50,000 or less, the maximum and minimum will be 50 per cent of the above figures. Government shall not however be precluded from levying a higher rate of contribution when ryots owning more than two-thirds of the atchkat agree to pay it;

(5) The holders of lands benefited from the project may be given the option of paying contribution by way of surrendering from out of their holdings irrigable lands under the same project, subject to certain limits and conditions;

(6) In the case of new irrigation works costing Rs. 5 lakhs and above across streams and rivers of a perennial nature to be specified, water rate should be levied on the basis of the kind of crops raised under the project on the following scale :—

Irrigated dry	...	... Rs. 5 to Rs. 8 per acre per annum
Paddy	...	... Rs. 10 to Rs. 16 per acre per annum
Perennial including sugarcane		... Rs. 20 to Rs. 32 per acre per annum

In the case of manurial crops like sunnhemp, the water rate will be half that for irrigated dry, provided water is supplied from a Government source of irrigation. Water rate where levied on crop basis may be levied on every additional crop raised during the year;

(7) In the case of new irrigation works costing less than Rs. 5 lakhs, water rate shall be levied on the acreage basis annually, the actual rate ranging from a minimum of Rs. 10 to a maximum of Rs. 20 per acre. A higher rate may be levied if the ryots owning more than two-thirds of the atchkat agree to pay such water rate;

(8) In respect of lands irrigated for the first time under the new irrigation works, a graded water rate as follows may be levied :—

(i) First year	...	...	¼ water rate
(ii) Second year	...	...	½ water rate
(iii) Third year and onwards	...	...	Full water rate

(9) If the water is drawn for purposes of lift irrigation from natural hallas and rivers, contribution need not be levied, and only water rate may be levied as contemplated in the Land Revenue Rules and in the Revenue Manual. Water rate not exceeding half the difference between wet and dry assessment in the area may be levied annually, subject to a minimum of Rs. 2 per acre, when water is drawn

rom a source which belongs to Government. But if the water for lift irrigation s drawn from an irrigation channel, both contribution and water rate at half the rates applicable to lands under the main irrigation work may be levied ;

(10) The same principles as are applicable to the levy of water rate under new irrigation works may be adopted in the case of existing irrigation works like Krishnarajasagara and Vani Vilas Sagara ;

(11) In the case of irrigation projects like the Bhadra, Tunga, Nugu, Tungabhadra and Ambligola Reservoirs, where the contribution and water rate agreed to by the ryots are inadequate owing to a large increase in the cost of the projects, Government should have power to revise the rates suitably. The proposed rates of contribution and water rate require suitably to be altered in accordance with the principles already enunciated by the Committee in view of the substantial increase in the cost.

After carefully considering the report of the Committee, Government are pleased to accept the recommendations subject to the following modifications :—

(1) In the case of restoration or improvements (referred to in para 26 of the report), the minimum contribution leviable may be Rs. 50 per acre instead of Rs. 75 recommended by the Committee ;

(2) In the case of irrigation works costing more than Rs. 50,000 (referred to in para 27 of the Committee's report), the maximum contribution leviable may be Rs. 500 instead of Rs. 600 as proposed ;

(3) With regard to water rate for paddy and sugarcane (referred to in para 32 of the report), the rate for paddy may vary from Rs. 8 to Rs. 15 instead of from Rs. 10 to Rs. 16 as proposed and that for sugarcane from Rs. 15 to Rs. 25 instead of from Rs. 20 to Rs. 32 as proposed, respectively ;

(4) With regard to manurial crops (*vide* para 33 of the report), no water rate need be levied for growing manurial crops only, such as sunnhemp, Kolanji, Sesban, Dainch, etc. ;

(5) With regard to the levy of water rate in respect of irrigation works costing less than Rs. 5 lakhs, the minimum rate may be reduced to Rs. 8; and

(6) Whenever water rate is levied in addition to wet assessment, the total should not exceed the maximum water rate proposed by the Committee *plus* the dry assessment.

Government further direct that the recommendations of the Committee with the modifications indicated above be given effect to immediately in all cases where no legislation is called for. Action will be taken separately to frame suitable legislation for the purpose of giving effect to those that are not covered by the existing provisions of the Irrigation Act. The Chief Engineer is requested to send up for approval draft rules in regard to the former category of recommendations, in consultation with the Revenue Commissioner.

D. K. SRINIVASACHAR,
Secretary to Government,
Public Works Department.

To—The Chief Engineer of Mysore, Bangalore.
The Special Chief Engineer for Major Irrigation Works, Bangalore.
The Revenue Commissioner in Mysore, Bangalore.
The Accountant General, Mysore, Bangalore.
The Superintending Engineers of Circles.
The Deputy Commissioners of Districts.
The Secretaries to Government.

Exd.—B.G.S.

WD 179—GPB—763—17-5-56

CONTENTS

	Paragraphs.
SECTION I—Introduction	1 to 4
SECTION II—General outline of the system regarding scales of water rate and contribution	5 to 21
SECTION III—Recommendations of the Committee regarding fixing of Water Rate and Contribution	22 to 43
SECTION IV—Suggestions of the Committee regarding the amendment of the Irrigation Act	44 to 47

REPORT OF THE COMMITTEE CONSTITUTED IN G.O. No. P.W.A. 5657-63—Irn. 54-176, DATED 28th AUGUST 1954, TO EXAMINE THE QUESTION OF SCALES OF WATER RATE AND CONTRIBUTION IN RESPECT OF IRRIGATION WORKS IN THE MYSORE STATE.

SECTION I

Introduction

1. Government constituted a Committee in G.O. No. P.W.A. 5657-63—Irn. 54-176, dated 28th August 1954 to examine the question of scales of water rate and contribution in respect of irrigation works in Mysore State.

2. The personnel of the Committee is :—

Chairman—

Dr. R. Nagan Gowd, M.Sc., Ph.D., Minister for Agriculture.

Members—

(1) The Revenue Commissioner in Mysore.
(2) The Financial Secretary to Government.
(3) The Revenue Secretary to Government.
(4) The Secretary to Government, P.W.D.
(5) The Chief Engineer of Mysore.
(6) The Special Chief Engineer of Mysore.

Secretary—

The Technical Assistant to the Chief Engineer of Mysore.

3. The Committee was requested to go into the entire question of fixing appropriate rates of contribution and water rate under each of the major irrigation projects in the State and generally in the case of all projects and to formulate comprehensive proposals.

4. The Committee met nine times under the Chairmanship of the Minister for Agriculture and dealt mainly with the principles of levy of water rate and contribution on irrigation works of different categories. There were some other matters referred to it from time to time by Government and which were also considered by the Committee, *viz.*,

(*i*) The representation of Malnad ryots, stating that they are already subject to heavy wet assessment.

(*ii*) Cut motion moved on Demand No. 37—Mysore Legislative Assembly, Budget Session, 1955—"To urge the Government not to levy water rate on the atchkat under the tank that is to be restored to its original capacity."

(*iii*) Financial forecast of the major irrigation projects like (*a*) Bhadra Reservoir, (*b*) Tunga Anecut, (*c*) Nugu Reservoir, (*d*) Ambligola.

(*iv*) Revision of water rates in respect of the atchkat under Vani Vilas Sagar Reservoir.

(*v*) Water rate to be levied in the case of Lift Irrigation.

(*vi*) Amendment of section 29 of Irrigation Act.

SECTION II

5. Different rates of contribution and water rate, which vary not only from place to place but from project to project, are at present being levied under the several irrigation projects in the State.

6. The several Government Orders which lay down the rates of contribution and water rate to be levied in the case of the land brought under irrigation indicate broadly the principles that should regulate the levy of contribution and

water rate, taking into account the improvement in the value of the lands or the increase in the output as a result of the irrigation work coming into existence. The earliest Order of 1st October 1888 on the subject lays down the principle on which contribution is to be levied in future from the landholder benefited by such irrigation works. The Order states that " When Government undertake a large irrigation work which adds great value to the holdings below, it has a right to participate in some moderate degree in the additional value that is imparted. It is sometimes contended that the wet assessment imposed is a sufficient return for the capital which Government spends on a new work. This is not the case. The increase of value is quite irrespective of the enhanced assessment but is due partly to the construction of the irrigation work and partly to the position of the land itself."

7. The same Government Order further lays down the following rules :—

(1) When a proposal for an irrigation work is under investigation or consideration, all Government un-occupied dry land likely to be converted into wet by such work should be reserved for sale by public auction after the completion of the work and no application for its grant should be accepted.

(2) No contribution in a lumpsum shall be levied in respect of such work from the holders of inam or Government occupied lands likely to be benefited by the same, but they should be called upon to execute Mutchalikas binding themselves to pay to Government on the completion of the work, a specified contribution per acre of occupied dry land which may be converted into wet, without in anyway affecting the liability of the land, if belonging to Government, to pay a wet rate of assessment and, if inam, the prescribed water rate.

(3) The contribution per acre, as per the foregoing rule, shall according to the circumstances of the ryots concerned, vary from a third to a fifth of the difference between the market value of an acre of dry land and of an acre of wet land. The quantity and permanence of the water available for irrigation, the quality of soil and the agricultural labour available will all be taken into account in fixing the market value as above.

(4) Where holders of not less than five-sixths of the occupied area execute mutchalikas under these rules and the holders of the remaining area refuse to do so, the matter should be reported in the statement accompanying the estimate for the orders of Government, and Government will then decide whether the work should be abandoned by reason of such refusal or whether the refusing landholders should be compelled to pay their due share of contribution either in one lumpsum or by means of a temporary addition to the wet assessment for a specified number of years (say 7 or 8 annual payments of the contribution fixed).

8. These principles are being observed from a long time, though there have been changes from time to time in the procedure adopted.

9. The Minor Tank Restoration Regulation, XIII of 1916, was passed in December 1916, providing for the recovery of the ryots' share of the cost of restoration or improvement compulsorily when the holders of not less than two-thirds of the area of irrigable lands under an existing tank agree to pay it.

10. The position was reviewed when the Regulation of 1916 was amended in 1923. The amendment provided that one-fourth of the actual cost of the restoration or one-fourth of the probable cost as published in the *Mysore Gazette*, whichever is less, shall be recoverable as contribution from all the ryots holding lands under the tank in the proportion of the assessment, or assessment and water rate, as the case may be, payable on such lands, provided that the amount does not in any case exceed eight times the annual assessment or eight times the annual assessment and water-rate, as the case may be, on the irrigable lands.

11. The Minor Tank Restoration Act was amended in 1948 laying down that "all ryots holding lands under the tank shall be liable, in the proportion of the assessment or assessment and water-rate, as the case may be, payable on such

lands, to pay as contribution, one-fifth of the actual cost of restoration or one-fifth of the probable cost".

12. The Minor Tank Restoration Act was repealed in 1952, and the Minor tanks were also brought under the irrigation Act of 1932 as amended from time to time.

13. The irrigation Act of 1932 as it stands now provides for the levy on the benefited area of contribution and water-rate, subject to such rules as may be prescribed by Government in this behalf and subject to the condition that the contribution in respect of the restoration or improvement of any minor tank shall not exceed Rs. 200 per acre.

14. Thus, the position still is that contribution and water rate are being levied with reference to each project keeping in view the following facts:—

(i) Prospective increase in value of irrigable lands ;

(ii) Ability of ryots to pay ;

(iii) Net return expected ; and

(iv) Whether the work is of a protective character or not.

15. All irrigation works, whether new or whether they pertain to restoration of major or minor tanks, come within the purview of the Irrigation Act. Sections 25, 26 and 27 lay down the mode of conducting a formal enquiry in regard to proposals for construction, restoration or improvement. After the conclusion of such enquiry, Government are required to notify the rates of contribution and water-rate.

16. The Committee wish to point out that the system of levy of contribution to cover a part of the capital cost incurred on the Irrigation Project has been in vogue in Mysore State for a long time and that it has stood the test of time. The Planning Commission have also recommended the extension of this system of levy of contribution to other States as well. The Committee wish further to extend and rationalise this system of contribution. Contribution shall partake of the nature of a betterment levy and it is reasonable to recover by way of contribution not less than half the estimated increase in the value of the land as a result of the execution of the Irrigation Project. The Committee also feel that the amount realised by the levy of contribution should be earmarked for repayment of the funds that may have been borrowed to finance the execution of the Irrigation Project.

17. There are, however, not sufficient indications at present as to what proportion of the capital cost should be recovered as contribution, whether there should be a maximum and minimum, whether the whole cost can be recovered as contribution amount, and whether the contribution amount can only be in the form of money or in the shape of lands also or both. Even in the case of water rate, similar ambiguity exists. The water rate wherever levied is at a fixed and flat rate and is not at all related to the kind of crop grown.

18. The importance of the question of net return arises with reference to the present mode of financing irrigation projects by loans and Central assistance in a number of cases. It is necessary that the projects so taken up should yield a minimum return as otherwise interest charges on the loans and advances taken to finance such projects may become excessive.

19. The Committee are also of the view that maximum and minimum rates of contribution in regard to several classes of irrigation works should be indicated to enable a proper determination of the rates applicable to each project within those limits, and also to enable the ryots to understand properly the basis of this form of levy.

20. As regards water rate too, the Committee consider that maxima and minima should be fixed in reference to kinds of crop in the case of big irrigation projects and generally with regard to others also, and that the rates should be related to the cost of maintenance of the project.

21. On a consideration of all these circumstances, the Committee wish to make the recommendations contained in the next Section.

SECTION III

Classification

22. Irrigation works may be divided into two categories :—

(i) New irrigation works including the restoration of abandoned tanks.

(ii) Restoration and improvement of existing irrigation works.

Contribution

23. Contribution will be fixed on the basis of the estimated cost of the project but shall be liable to enhancement up to 50 per cent of the amount originally fixed, in the event of a substantial increase in the actual cost of execution of the project.

Water rate

24. Where water-rate is now recovered as a separate levy in addition to the existing assessment, wet or dry as the case may be, it may continue as such and may not be merged in the assessment during re-settlement.

Net return expected

25. (i) Irrigation works, costing more than Rs. 1,000 per acre of paddy cultivation should not normally be taken up.

(ii) As a general rule, the net return on the Government share of the cost from any project costing more than Rs. 50,000 shall be not less than 3 per cent.

(iii) As a general rule, the net return on projects costing Rs. 50,000 or less shall not be less than 2 per cent.

Restoration or improvement

26. Contribution in respect of restoration and improvement works will be fixed at a maximum of Rs. 300 and a minimum of Rs. 75 per acre. This levy will be subject to the following conditions :—

(i) Where restoration and improvement works bring fresh lands under irrigation, maximum and minimum rates applicable to such fresh lands shall be the same as those for new irrigation works.

(ii) In the case of the restoration or improvement of a tank which results only in restoring the tank to its original capacity or only in ensuring water supply to the existing atchkat to the same extent as it was entitled to originally (*i.e.* the capacity of the tank as specified in the Tank Register), no contribution or water rate will be leviable ; but that portion of the cost which is attributable to the proper maintenance of the tank and constitutes the ryots' liability will be recovered from the atchkatdars in full. In exceptional cases, where the portion of the cost which constitutes the ryots' liability exceeds thirty-two times the assessment on the atchkat, Government may waive the recovery of such portion of the cost as they may deem fit.

Maximum and Minimum limit of contribution

27. In the case of new irrigation works costing more than Rs. 50,000 the minimum and maximum contribution to be levied will be Rs. 150 and Rs. 600 per acre respectively ; in the case of those costing Rs. 50,000 or less, the minimum and maximum will be 50 per cent of the above figures :

Provided, however, that Government shall not be precluded from levying a higher rate of contribution when ryots owning more than two-thirds of the atchkat have agreed to pay such contribution.

Works costing Rs. 2,500 and less

28. No contribution or water rate need be levied on works costing Rs. 2,500 and less.

Augmentation of water supply by restoration and improvement

29. In the case of restoration and improvement works, including the construction of feeder channels, which result in the augmentation of water supply to the existing atchkat, additional water rate will be levied so as to correspond, as far as possible to such augmentation; and contribution also will be levied in such cases according to the principles formulated in respect of levy of contribution.

By existing work becoming part of new irrigation project

30. In the case of existing irrigation works which become part of a new irrigation work and have their supply augmented by such work, contribution and water rate may be levied at rates not exceeding half of those levied in respect of fresh lands, and the water rate in such cases will be in addition to the existing wet assessment. The basis of levy, acreage or cropwise, will be the same as in respect of the main irrigation work.

Water rate to be levied on crop basis

31. In the case of new irrigation works costing Rs. 5 lakhs and above, across streams and rivers of a perennial nature to be specified, water rate will be levied on the basis of the kind of crops raised under the project. For this purpose, the classification will be as follows:

Maximum and Minimum water rate on crop basis

Irrigated dry, paddy and perennial including sugarcane.—

32. Water rate will be levied on the above classes at the following scales:—

Classification	*Rates*
Irrigated dry	Rs. 5 to Rs. 8 per acre per annum
Paddy	Rs. 10 to Rs. 16 „
Perennial, including sugarcane	Rs. 20 to Rs. 32 „

Manurial crops

33. In the case of manurial crops like sun-hemp, the levy of water rate will be at half that for irrigated dry, provided water is supplied from a Government source of irrigation.

Additional crop

34. Water rate, where levied on crop basis may be levied on every additional crop raised during the year. Where second and subsequent crops are raised on the same land within one agricultural year, every crop other than the main crop will be subject to levy of water rate at half the rate applicable to the main crop, an agricultural year for this purpose commencing from 1st July of a year and ending on 30th June of the following year. The Irrigation Officer or other competent authority will decide which the main crop is in respect of any particular land or block of lands.

Maximum and minimum water-rate on acreage basis

35. In the case of new irrigation works other than those referred to in para 31, the water rate shall be on the acreage basis, levied annually. The actual rate will range from a minimum of Rs. 10 to a maximum of Rs. 20 per acre:

Provided, however, that a higher water rate may be levied if the ryots owning more than two-thirds of the atchkat agree to pay such water-rate.

New work forming part of a bigger work

36. When a new work forms part of a bigger irrigation work already in existence the new work will be deemed to be a part of the bigger work, and water rate and contribution shall be fixed on the same basis as for such latter work.

Recovery of contribution and water rate

37. Contribution may be recovered in annual instalments not exceeding ten, the payment of contribution commencing from the year subsequent to that in which the water is supplied.

Graded water rate

38. In respect of lands irrigated for the first time under new irrigation works, a graded water rate as follows may be levied:—

(*i*) First year	...	One-fourth water rate.
(*ii*) Second year	...	half water rate.
(*iii*) Third year and onwards	...	Full water rate.

Option to pay contribution by surrender of land

39. The holder of the land benefited from the project may be given the option of paying contribution by way of surrendering from out of his holding irrigable land under the same project for the sum payable by him, subject, however, to the conditions that not more than half the sum due by way of contribution may be paid by surrendering lands and that the extent of the land so surrendered shall not be less than minimum extent prescribed under the rules for the constitution of a separate survey number in such area.

Lift Irrigation Works

40. If the water is drawn for Lift Irrigation from natural hallas and rivers, contribution need not be levied, and only water rate may be levied as contemplated in the Land Revenue Rules and Revenue Manual; water rate not exceeding half the difference between wet and dry assessment in the area may be levied annually, subject to a minimum of Rs. 2 per acre when water is drawn from a source which belongs to Government. But if the water for Lift Irrigation is drawn from an irrigation channel, both contribution and water rate at half the rates levied in respect of the main irrigation work may be levied.

Revision of Water rate

41. The same principles which are applicable to the levy of water rate under new irrigation works may be made applicable under existing irrigation works like Krishnarajasagara and Vani Vilas Sagara.

Revision of contribution and water rate in respect of Bhadra, Tunga, Nugu, Tungabhadra, and Ambligola.

42. The Committee are of the view that, in the case of Irrigation Projects of Bhadra, Tunga, Nugu, Tungabhadra and Ambligola Reservoirs, where the

contribution and water-rate agreed to by the ryots are inadequate owing to a large increase in the cost of the projects, Government should have the power to revise the rates suitably. The proposed rates of contribution and water-rate require suitably to be altered in accordance with the principles already enunciated by the Committee, in view of the substantial increase in the cost. The Mysore Irrigation Act as it stands now does not appear to allow such revision of contribution in respect of existing irrigation works. In these circumstances, the Committee consider that the Act may suitably be amended to permit of such revision of contribution. The amendment of the Act for this purpose may be on the following lines :—

> " Where owing to unforeseen circumstances, the ultimate cost of an irrigation work is more than the originally estimated cost of the work, Government shall have the power to increase the rates of contribution and water-rate originally fixed so as to be commensurate with the increase in cost ".

" Special maintenance Cess " as an alternative to the maintenance of irrigation works by the atchkatdars.

43. The Mysore Irrigation Act has been recently amended by Act VII of 1952, making provision for the future maintenance of minor irrigation works and also to deal with cases of the neglect of the same.—*Vide* Chapters VI-A and VIII. The amended provisions in the Irrigation Act (Chapter VI-A) give sufficient powers to Government to take over any tank for maintenance and for levy of acreage contribution and acreage cess as and when necessary. These powers are adequate and call for no revision or addition at this stage.

SECTION IV

Amendment of the Irrigation Act

44. The Committee wish to make the following suggestions regarding the amendment of the Irrigation Act.

Amendment of Section 29

45. (*i*) Section 29 of the Mysore Irrigation Act may be amended so as to enable Government to delegate to the Chief Engineer the power to fix water-rate and contribution in respect of works costing Rs. 25,000 and less (where they are leviable according to the principles enunciated above), provided that the return on the Government share of the cost is not less than 2 per cent.

(*ii*) Sub-section (2) of section 29 may be deleted, as the maximum stipulated therein comes in the way of taking up the restoration of many minor tanks even where ryots are willing to pay their share of contribution, since the contribution would work out to more than Rs. 200 per acre, which is the maximum provided for under that sub-section.

(*iii*) Sub-section (3) of section 29 has also to be amended suitably to permit revision of water rate on lands under the existing irrigation projects, which were executed prior to the commencement of the Irrigation Act, 1932.

Major Irrigation Works—(a) *Bhadra*, (b) *Tunga*, (c) *Nugu*.

46. (*i*) As stated in the previous Section of the report in cases in which owing to unforeseen circumstances, the ultimate cost of an irrigation work has exceeded substantially the originally estimated cost of the work, Government should be empowered by suitable legislation to increase the rates of contribution and water-rate originally fixed so as to be commensurate with the increase in cost.

45

Major Irrigation Works—(b) *Tungabhadra*

(ii) No special provision in respect of Tungabhadra Project is necessary apart from an amendment of the law for the purpose of enabling the fixation of the rates of contribution and water-rate in respect of works whose construction has been begun without the observance of the formalities referred to under Sections 25, 26 and 27 of the Act.

Contribution and water-rate to be made a primary charge on the land

47. Provision has also to be made in the Irrigation Act to make contribution and water-rate primary charges on the land, just as in the case of, but subordinate to, the charges of land revenue on the land, so as to facilitate recovery.

(Sd.) R. NAGAN GOWD,
Chairman.
23-12-55

1. (Sd.) D. K. SRINIVASACHAR,
Secretary to Government,
P. W. & Electrical Departments.
(*Member*) 5-12-55

2. (Sd.) R. J. REGO,
Secretary to Government,
Revenue Department.
5-12-55

3. (Sd.) G. N. NAGARAJA RAO,
Revenue Commissioner.
6-1-55

4. (Sd.) N. MADHAVA RAO,
Financial Secretary.
8-12-55

5. (Sd.) H. ANANTHACHAR,
Chief Engineer of Mysore.
13-12-55

6. (Sd.) T. RAMASWAMY IYENGAR,
Special Chief Engineer.
22-12-55

H. SEETHARAMAIAH,
Secretary,
Committee for consideration of water rate and contribution.
27-12-55

WD 180—GPB—500—16-5-56

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

Read:-1. Correspondence ending with letter No.B.1.P.M.433-403/53-54 dated 10-2-1956 received from the Revenue Commissioner in Mysore, Bangalore, requesting in the circumstances reported sanction of Government to the proposals made by the Deputy Commissioner, Bellary District in the matter of levy of water rate and penality in respect of lands under the T.B. Project in Bellary District.

Order No.RD. 2216-20/RM. 17-55-73,
Bangalore, dated 16th May 1956.

The Deputy Commissioner, Bellary District, reports that the Government of Madras had proposed the levy of water cess as detailed on the margine on a gradatio basis in respect of crops raised with the aid of water from the Thungabhadra Project in Bellary District. After obtaining reports from the local Officers, and agreeing with their proposal, the Deputy Commissioner, Bellary has recommended the waiver of the recovery of water rate (which is ½ the ra e notified) in respect of lands included in the localised ayacut in the first year of irrigation viz., 1954-55, for the reason that the crops suffered for lack of timely irrigation and of assured supplies of water, and he has also recommended the levy of full water rate and a symbolic penalty equivalent to one dry ra_e in respect of lands not included in the ayacut but irrigated unauthorisedly, for the year 1954-55.

1. Duffasal Crops.	Rs. 18/-	per acre.
2. Early long duration paddy.	12/-	- do -
3. Later short duration paddy	7/-	"
4. (a) Food Crop (by irrigation crop)	4/-	"
(b) Commercial Crops.	8/-	"

Gradation.

1. at ¼th of the rates specified in the first year of irrigation.
2. at ½ such rate in the second year of irrigation.
3. at ¾ of such rate in the third year of irrigation.
4. at full rate from the fourth year onwards.

2. The Deputy Commissioner, Bellary Dist., has also made further proposals as follows:-

(i) the levy of ½ the water rate notified in respect of lands brought under irrigation which are included in the localised ayacut for the year 1955-56 and the levy of ¾ the water rate notified in respect of the entire ayacut whether brought under cultivation or not during 56-57;

(ii) the levy of full water rate plus penal water rate equal to this charge in respect of unauthorised irrigation of lands not included in the local ayacut;

(iii) the levy of ½ the water rate (at ½ the specified rate) and a penalt of one dry rate in respect of lands unauthorisedly cultivated which are included in the local ayac_t (i.e. irrigation of lands included in the localised/ ayacut but such irrigation being in violation of the scheme) for the year 1955-56; and

(iv) the levy of full water rate and a light penality in respect of lands not included in the local ayacut but which are irrigated on account of seepage and other unavoidable circumstances.

The Revenue Commissioner requests sanction of Government to the proposals.

The proposals of the Deputy Commissioner, Bellary Dist. are approved.

B. Lakshmana Rao

(B. Lakshmana Rao)
for Secretary to Government,
Revenue Department.

To
The Revenue Commissioner in Myso e,
The Accountant-General, Mysore, Bangalore.
The Deputy Commissioner, Bellary Dist.
The Chief Engineer of Mysore,

Copy to : F.R.Secy.

Comprehensive Note regarding the fixation of Water Rate and Contribution in respect of the ayacut of the Tungabhadra Project on the Mysore side.

The Thungabhadra Project has been conceived as a famine relief project. The average ryot is very poor. The population is also thin and agricultural labour is inadequate for extension of wet cultivation. The ryots are not considered to be very industrious and the quality of agriculture is low. In connection with the levy of water-rate on the lands irrigated by the project the Government of the composite State of Madras had published under the provisions of the Madras Irrigation Cess Act 1865 that the following rates would be levied provisionally in respect of crops raised with the aid of water from the Tungabhadra Project:

(1) Duffassal crops	Rs.18/- per acre
(2) Early long duration paddy	Rs.12/- "
(3) Later-short duration paddy	Rs. 7/- "
(4) Dry Irrigated crops:	
(i) Food crop	Rs. 4/- "
(ii) Commercial crop	Rs. 6/- "

The following gradation was ordered to be adopted for levy of water cess:

(1) First year of irrigation	1/4th rate
(2) Second year of irrigation	1/2 "
(3) Third year of irrigation	3/4 "
(4) Fourth year and onwards	Full rate.

2. The Government of Andhra have adopted the same rates in respect of the Tungabhadra project ayacut in that State.

3. At a meeting of the marginally noted officers held on 12th February 1955, it was decided that the rates approved by the Government of composite Madras State may be

1. The Secretary to Government, P.W.D.
2. The Chief Engineer of Mysore
3. The Special Chief Engineer (Myosre)
4. Deputy Commissioner, Bellary District
5. Deputy Director of Agriculture

followed.

4. The Deputy Commissioner, Bellary, reported in June 1954 that the rates approved by Madras were ordered by him to be adopted for fasli 1364 (1954) pending orders of Government in the matter. He also requested for approval to the issue of a formal Notification stating that water would be made available to so many acres of T.B.P. ayacut on the Mysore side and that water rates as per the scales and gradation approved by Madras would be levied. As the matter relating to the fixation of contribution and water-rates in respect of irrigation works in the Mysore State was under examination by a Committee of Officers appointed by Government, this question of water-rate and contribution for the T.B.P.ayacut was also referred to to that Committee.

5. As it took some time for the Contribution and Water-Rates Committee to submit its report and the issue of Government Orders thereon, sanction was accorded to the following proposals in respect of the Tungabhadra Project ayacut, in G.O.No.R.10.2216-20/RM 17-55-73 dated 16th May 1956:-

1. Adoption of the rates proposed by the Government of Madras for the levy of water cess as detailed below:-

(1)	Duffassal crops	Rs.18/- per acre
(2)	Early long duration paddy	Rs.12/- "
(3)	Later short duration paddy	Rs. 7/- "
(4)	(a) Food crop(by irrigation crop)	Rs. 4/- "
	(b) Commercial crops	Rs. 6/- "

Gradation:

(1) at 1/4th of the rates specified in the first year of irrigation.

(2) at ½ such rate in the second year of irrigation.

(3) at 3/4 of such rate in the third year of irrigation

(4) at full rate from the fourth year onwards.

2. Waiver of the recovery of water-rate (which is 1/4th the rate notified) in respect of lands included in the localised ayacut in the first year of irrigation viz., 1954-55 for the reason that the crops suffered for lack of timely irrigation and of assured supplies of water;

3. Levy of full water rate and a symbolic penalty equivalent to one dry rate in respect of lands not included in the ayacut but irrigated unauthorisedly, for the year 1954-55;

4. Levy of ¼ the water rate notified in respect of lands brought under irrigation which are included in the localised ayacut for the year 1955-56 and the levy of ½ the water rate notified in respect of the entire ayacut whether brought under ~~irrigax~~ cultivation or not during 1956-57;

5. The levy of full water rate plus penal water rate equal to this charge in respect of unauthorised irrigation of lands not included in the local ayacut;

6. The levy of ¼ the water rate (at ¼ the specified rate) and a penalty of one dry rate in respect of lands unauthorisedly cultivated which are included in the local ayacut (i.e., irrigation of lands included in the localised ayacut but such irrigation being in violation of the scheme) for the year 1955-56; a n d

7. The levy of full water rate and a light penalty in respect of lands not included in the local ayacut but which are irrigated on account of seepage and other unavoidable circumstances.

6. Now a decision has to be taken in the matter of rates for the levy of contribution and water-rate on the T.B.P.ayacut on the Mysore side from the year 1956-57 onwards. In this connection it ~~is~~ has to be stated that the Government of Madras published the Notification about water cess under the provisions of the Madras Irrigation Cess Act 1865. Now the Mysore Irrigation Act has been extended to Bellary District - vide Mysore Irrigation (Second Amendment) Act 1954. By the extension of the Irrigation Act to Bellary District the Madras Irrigation Cess Act 1865 has become inoperative. Therefore contribution and water-

water rate can be levied only in accordance with the provisions of the Mysore Irrigation Act after holding an enquiry under that Act. Further the Mysore Irrigation (Second Amendment) Act 1954 specifies that "any rule or order for the fixation of the rates and other incidents of any tax to be made under this Act on its application to any works connected with the utilisation of the waters of the Tungabhadra Project shall be made only after the previous consent of the President of India has been obtained to the making of such rule or order".

7. The Committee for examining the scales of Water Rate and Contribution in respect of irrigation works in the State has since furnished its report and orders of Government thereon have also been issued. According to the recommendations of the Committee and the orders of Government thereon contribution and water rate leviable in respect of the Tungabhadra Project ayacut in Mysore will be at the rates specified below:-

1. Contribution:

(A) A rate between the minimum of Rs.150/- and the maximum of Rs.500/- per acre.

(B) Contribution to be recovered in annual instalments not exceeding ten.

2. Water rate:

(a) To be levied on crop basis at the following rates:-

Classification.		Rates.
Irrigated dry	...	Varying from Rs.5 to Rs.8 per acre per annum.
Paddy	...	Varying from Rs.8 to Rs.15 " "
Perennial including sugarcane	...	Varying from Rs.15 to Rs.25 per acre per annum.

(b) No water rate for growing manurial crops only.

(c) Water rate if levied in addition to wet assessment the total not to exceed the maximum water rate plus the dry assessment.

(d) Water rate levied on crop basis to be half (for the second and subsequent crops grown during the same agricultural year) of the rate applicable to the main crop.

(e) For the lands irrigated for the first time under a new irrigation work, graded water rate as follows to be levied:

I Year	..	¼ water rate
II Year	..	½ water rate
III Year and onwards	..	Full water rate

3. The holder of land benefited from the project to be given the option of paying not more than half the amount of contribution by surrendering from out of his holding, irrigable land under the same project subject to the extent so surrendered not being less than the minimum prescribed for forming a separate Survey number.

8. The levy of the above rates requires the previous approval of the President of India, and suitable amendment to the Irrigation Act for fixation of the rates without observance of the formalities referred to in paras 25 26 and 27 of Act. The question of amending the Act is before the Law Secy. Pendency of finalisation of all these matters, action will have to be taken to continue the present levy for the year 56-57.

Ans 29/5/56.
Sm 29/5

29/5

Levy of water rate and Contribution in Respect of the ayacut of the Tungabhadra project in Mysore State

Mysore Government
Secretariat

File No. 1294/A of 195

[App. F. III 2 52

450

Serial No.

LEVY OF WATER RATE AND CONTRIBUTION IN RESPECT OF THE AYACUT OF THE TUNGABHADRA PROJECT IN MYSORE STATE.

A short note on the above subject is placed below for perusal.

30/5/56 bm 30/5

Secy (Pl) 30/5

with reference to the request made over the telephone on the 28th.

Secy (Planning) 30/5/56

31.5.56

31/5 31/5

It is now for orders whether any action is necessary on this or whether this may be filed.

6/6/56 No action on this is necessary as the connected file with the note has been referred to the Rev Branch already.

bm 6/6

6/6

Note.—Contn. Sheet

Note on the levy of Water Rate and Contribution in respect of the ayacut of the Tungabhadra Project in Mysore State.

In connection with the levy of water-rate on the lands irrigated by the project the Government of the composite State of Madras had published under the provisions of the Madras Irrigation Cess Act 1865 that the following rates would be levied provisionally in respect of crops raised with the aid of water from the Tungabhadra Project:

(1) Duffassal crops	Rs.18/-	per acre
(2) Early long duration paddy	Rs.12/-	"
(3) Later short duration paddy	Rs. 7/-	"
(4) Dry Irrigated crops:		
(i) Food crop	Rs. 4/-	"
(ii) Commercial crop	Rs. 6/-	"

The following gradation was ordered to be adopted for levy of water cess:

(1) First year of irrigation	1/4 rate
(2) Second year of irrigation	1/2 "
(3) Third year of irrigation	3/4 "
(4) Fourth year and onwards	Full rate

2. The Government of Andhra have adopted the same rates in respect of the Tungabhadra Project ayacut in that State.

3. At a meeting of the marginally noted officers held on 12th February 1955, it was decided that the rates approved by the Government of composite Madras State may be followed.

1. The Secretary to Govt., P.W.D.
2. The Chief Engineer of Mysore
3. The Special Chief Engineer
4. Deputy Commissioner, Bellary Dist.
5. Deputy Director of Agriculture

4. The Deputy Commissioner, Bellary, reported in June 1954 that the rates approved by Madras were ordered by him to be adopted for fasli 1364 (1954)

pending orders of Government in the matter. He also requested ~~for~~ approval to the issue of a formal Notification stating that water would be made available to ~~so many acres of~~ ns T.B.P. ayacut on the Mysore side and that water rates as per the scales and gradation approved by Madras would be levied. As the matter relating to the fixation of contribution and water-rates in respect of irrigation works in the Mysore State was under examination by a Committee ~~of Officers~~ appointed by Government, this question of water-rate and contribution for the T.B.P. ayacut was also referred ~~to~~ to that Committee.

5. As it took some time for the Contribution and Water Rates Committee to submit its report and the issue of Government Orders thereon, sanction was accorded to the following proposals in respect of the Tungabhadra Project ayacut, in G.O.No.R.10.2216-20/RM 17-55-73 dated 16th May 1956:-

1. Adoption of the rates proposed by the Government of Madras for the levy of water cess as detailed below:-

(1) Duffassal crops	Rs.18/-	per acre
(2) Early long duration paddy	12/-	"
(3) Later duration paddy	Rs. 7/-	"
(4) (a) Food crop (by irrigation crop)	Rs. 4/-	"
(b) Commercial crops	Rs. 6/-	"

Gradation:

(1) at 1/4th of the rates specified in the first year of irrigation.

(2) at ½ such rate in the second year of irrigation.

(3) at ¾ of such rate in the third year of irrigation.

(4) at full rate from the fourth year onwards.

2. Waiver of the recovery of water-rate (which is 1/4th the rate notified) in respect of lands included in the localised ayacut in the first year of irrigation viz., 1954-55 ~~x~~ for the reason that the crops suffered for lack of timely irrigation and of assured supplies of water;

A-2

3. Levy of full water rate and a symbolic penalty equivalent to one dry rate in respect of lands not included in the ayacut but irrigated unauthorisedly, for the year 1954-55;

4. Levy of ¼ the water rate notified in respect of lands brought under irrigation which are included in the localised ayacut for the year 1955-56 and the levy of ½ the water rate notified in respect of the entire ayacut whether brought under cultivation or not during 1956-57;

5. The levy of full water rate plus penal water rate equal to this charge in respect of unauthorised irrigation of lands not included in the local ayacut;

6. The levy of ¼ the water rate (at ½ the specified rate) and a penalty of one dry rate in respect of lands unauthorisedly cultivated which are included in the local ayacut (i.e., irrigation of lands included in the localised ayacut but such irrigation being in violation of the scheme) for the year 1955-56; a n d

7. The levy of full water rate and a light penalty in respect of lands not included in the local ayacut but which are irrigated on account of seepage and other unavoidable circumstances.

6. Now a decision has to be taken in the matter of rates for the levy of contribution and water-rate on the T.B.P.ayacut on the Mysore side from the year 1956-57 onwards. In this connection it has to be stated that the Government of Madras published the Notification about water cess under the provisions of the Madras Irrigation Cess Act 1865. Now the Mysore Irrigation Act has been extended to Bellary District - vide Mysore Irrigation (Second Amendment) Act 1954. By the extension of the Irrigation Act to Bellary District the Madras Irrigation Cess Act 1865 has become inoperative. Therefore contribution and water-rate can be levied only in accordance with the provisions of the Mysore Irrigation Act after holding an enquiry under that Act. Further the Mysore Irrigation (Second Amendment) Act 1954 specifies that "any rule or order for the fixation of

of the rates and other incidents of any tax to be made under this Act on its application to any works connected with the utilisation of the waters of the Tungabhadra Project shall be made only after the previous consent of the President of India has been obtained to the making of such rule or order."

7. The Committee for examining the scales of water rate and contribution in respect of irrigation works in the State has since furnished its report and orders of Government thereon have also been issued. According to the recommendations of the Committee and the orders of Government thereon, contribution and water rate leviable in respect of the Tungabhadra Project ayacut in Mysore will be at the rates specified below:-

1. CONTRIBUTION:

(A) A rate ~~of~~ between the minimum of Rs.150/- and the maximum of Rs.500/- per acre.

(B) Contribution to be recovered in annual instalments not exceeding ten.

2. WATER RATE:

(a) To be levied on crop basis at the following rates:

Classification.		Rates.
Irrigated dry	...	Varying from Rs.5 to Rs.8 per acre per annum.
Paddy	...	Varying from Rs.8 to Rs.15 per acre per annum.
Perennial including sugarcane		Varying from Rs.15 to Rs.25 per acre per annum.

(b) No water rate for growing manurial crops only.

(c) Water rate if levied in addition to wet assessment, the total not to exceed the maximum water rate plus the dry assessment.

(d) Water rate levied on crop basis to be half (for the second and subsequent crops grown during the same agricultural year) of the rate applicable to the main crop.

(e) For the lands irrigated for the first time under a new irrigation work, graded water rate as follows to be levied;

I Year	..	¼ water rate
II Year	..	½ water rate
III Year and onwards	..	Full water rate

3. The holder of land benefitted from the project to be given the option of paying not more than half the amount of contribution by surrendering from out of his holding, irrigable land under the same project subject to the extent so surrendered not being less than the minimum prescribed for forming a separate Survey number.

8. The levy of the above rates requires the previous approval of the President of India and suitable amendment to the Irrigation Act for fixation of the rates without observance of the formalities referred to in paras 25, 26 and 27 of the Act. The question of amending the Act is before the Law Secretary. Pending the finalisation of all these matters, action will have to be taken to continue the present levy for the year 1956-57 also.

TSRN.

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

-O-

READ,-

Government Order No.RIO.2216-20/R.M. 17-55-75 dated 16th May 1956, sanctioning the proposals of the Deputy Commissioner, Bellary District, in the matter of levy of water rate on a gradation basis and of penality in respect of lands under the T.B.Project in the Bellary District.

ORDER NO. RIO. 11876-879/R.M. 16-56-12

DATED, BANGALORE, THE 29th NOVEMBER 1956.

Government direct that the levy of water rate and penality ordered in the Government Order dated 16th May 1956 be continued and made applicable for the year 1956-57 also.

(M.B.SHETTY)
for Secretary to Government,
Revenue Department.

28/11

TO

The Divisional Commissioner, Bangalore Division, Bangalore.
The Accountant General, Mysore, Bangalore.
The Deputy Commissioner, Bellary District.
The Chief Engineer of Mysore, Bangalore.

HGN.8/28.11.

59

...ords:-

G.O. No. I-10-11870-370/...I. Extract ...x 16-33-13, dated the 30th November 1936 continuing the levy of water rate and penalty for the year 1936-37 for lands under the T.B. Project area in Bellary District, as fixed in G.O. ...-10-3210-...0/A.M.17-13-35, dated the 16th May, 1936.

86 RWR

Order No. RD-2334/G.B./57, dated, Bangalore, 27th ...y, 1937.

Government direct that the levy of water rate and penalty ordered in the Government Order dated the 16th May, 1936 be continued for the years 1937-1938 also in the T.B. Project area of Bellary District.

(H.B. Shetty)
for Secretary to Government,
Revenue Department.

To

The Deputy Commissioner, Bellary District.
The Divisional Commissioner, Bangalore.
The Accountant-General, through the Finance department.
The Chief Engineer of Mysore, Bangalore.
Copy to the ...E.'s. (2 copies)
Stock file.
B.27/3/37.

G.O. No.M-10-11873-573/M.I. dated the 10-30-10, dated the 20th November 1933 continuing the levy of water rate penalty for the year 1933-37 for lands under the T.P. Project area in Bellary District, as fixed in G.O. M-10-316- O/A.M.27-12-73, dated the 16th May, 1930.

Order No. PW-2334/Misc./37, dated, Ootacamund, 17th June, 1937.

Government direct that the levy of water rate penalty ordered in the Government Order dated the 16th May, 1930 be continued for the years 1937-1939 also in the T.P. Project area of Bellary District.

(K.D. Shetty),
for Secretary to Government,
Revenue Department.

Issued on 11-6-37

To.

The Deputy Commissioner, Bellary District.
The Divisional Commissioner, Bangalore.
The Accountant-General, through the Finance Department.
The Chief Engineer of Projects, Bangalore.
Copy to the P.W.D. (2 copies)
Extra 200.
J.37/3/37.

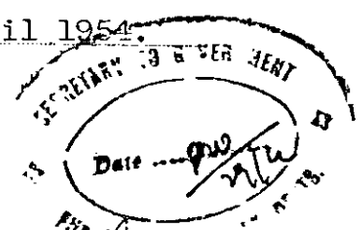
GOVERNMENT OF MYSORE

Dep 882 Gr 54-55

OFFICE OF
The Special Chief Engineer for
Major Irrigation Works in Mysore,
Bangalore.

No. 844 H
Encls.

Date 27th April 1954.



The Secretary to Government,
P.W.Department, Bangalore.

Sir,

1) I write to state that I recently inspected the ayacut area of Tungabhadra Canal in the Mysore zone. The total area proposed for irrigation under the localisation scheme is 92,981 acres in the Mysore zone of which 67,131 acres lie under the direct canal from 0 to 106 miles and 25,850 acres pertaining to Siruguppa Taluk coming in the combined zone of 106 to 165 miles. At present, in the Mysore zone of territory pertaining to 67,131 acres, work on distributaries and field channels are progressing and for the present they are ready for an area of about 6,000 acres. It is expected that by the end of May, distributaries and field channels will be ready for about 28,000 acres. It is proposed to allow water for this stretch during June, and the Superintending Engineer, Tungabhadra [redacted] ct Head Works Circle, has also been apprised of the need for allowing water in the month of June for starting irrigation.

2) Under the localisation scheme, out of 67,131 acres in the first stretch of territory from 0 to 106 miles, about 15,269 acres will be under perennial, 12043 acres under wet and the balance of 39819 acres under semi-dry crops. The Deputy Commissioner, Bellary District, has also been contacted and informed to notify that an area of 28,000 acres will be thrown open for irrigation this June. It is necessary that a formal notification will have to be issued in this respect.

3) Secondly, the water rate for each kind of crop has to be notified. I read in the papers that the Andhra Government have notified the following rates:--

(a) Rs.18/- per acre for perennial
(b) Rs.12/- per acre for long-term paddy
(c) Rs. 7/- per acre for short-term paddy
(d) Rs. 4/- per acre for semi-dry crop of non-commercial
(e) Rs. 6/- per acre for semi-dry of commercial value.

-2-

T.B.P. — Water Rates for Mysore area

799 pw(A)

It will be necessary that in order to keep up uniformity, a similar notification is published for irrigation in the Mysore area. Pending the settlement of final rates for the different kinds of crops grown, I request a notification in this respect, approving the above rates, may kindly be ~~arranged to be~~ issued.

4) The Executive Engineer, Special Irrigation Division, Bellary, has also been instructed to send a statement of lands pertaining to 28,000 acres, to the Deputy Commissioner, Bellary District, for taking further action in the matter.

Yours faithfully,

H. Ananthachar 27/4/54

(H.Ananthachar)
Special Chief Engineer.

kkm.

5) The proposals submitted for perusal of paras 1 to 4 supra. The ~~Collector~~ D.C. Bellary District may perhaps be consulted regarding the proposals made by the Spl. Ch Engineer.

6) It is felt that this is a matter to be examined and dealt with in the Rev Branch in Consultation with the Rev Comm. It is seen from the Spl CE's report that his recommendation for different water rates for different type of crops is based on the notification of Andhra Govt published in news papers

7) The water rate question has to be dealt with in the PW Br.

Is it now?

16
13/5

8) Fixation of water rates is a matter

T.B.P — Water Rates for Mysore Area.

Mysore Government
Secretariat

File No. 799 pm of 195 .

{App. F. III 2

REVENUE SECRETARIAT
No. LDI 5 R 2
25 MAY 1951
GOVERNMENT OF MYSORE

Serial No.

to be dealt with in the P.W. Branch. But the matters relating to notify the ryots are perhaps to be dealt with by the Rev. Branch.

9) Submitted with reference to para 7. for orders.

15/5/54

10) Different water Rates are proposed for different Kind of crops & whether more rates are feasible to be levied in the Mysore area is a matter to be first examined by the Rev Dept in Consultation with the Asstt Dy: Commr. If the Rev Dept has no objection to the rates, then further action to notify the rates may be taken in the P.W.D or Dept in the Rev Dept itself.

16/5

11) Ref. para 7.

Sri A.V.

(S. Rev)

12) 16.
22/5

13) 23/5

14) Memo No. 55/54-55 Dated. 10-6-54.
U.O

Forwarded to the Revenue Commissioner, in Mysore Bangalore for opinion.

By order

for Secretary to Govt
Rev. Depts.

4/6 9/6

Note.—Contn. Sheet

1015/Rev T.B.P— Water rates for Hyderabad Area

File No. of 195 . 1015/R2 Mysore Government Secretariat

B1.P.R. 433—403 53-54 Collection Retransmitted Serial No.

15) A copy of Bellary Deputy Commissioner's letter R.C. No. 5384/54 dated 24-6-54 is enclosed herewith along with copies of its enclosures. I agree with the graded levy of water rate etc. and suggest that a notification regarding the details of area which is ready to be irrigated and the tentative water rates proposed to be levied on a graded scale may be published by Government very early, the Deputy Commissioner being requested to give wide publicity to the same particularly in the villages concerned. The concurrence of the Tuhgabhadra Board appears to be necessary for the water rates proposed as the project is a protective scheme in famine area.

(G.N. Nagaraja Rao)
Revenue Commissioner.
16/7/54

16) The remarks furnished at para 15 supra are for perusal and orders.

17) Submitted with reference to para 16 supra.
27/7/54 19/7

18) The Chief Engineer may be requested who are requested to send up concrete proposals in consultation with the Tungabhadra Board as suggested by the Revenue Commissioner.
27/8 19/8/54
9/8
2 Jr 9/8

SECRETARY TO GOVERNMENT No. 5768 - 3 AUG 1954 REVENUE DEPARTMENT

PUBLIC

WD 04861—GPB—60,000—22-1-54

T. B. P — Water rates for Mysore Area

Mysore Government Secretariat | File No. of 195 . | [App. F. III 2

1015/R2

Serial No.

21) U.O. Memo No. 1284/54-55 Date 18/8/54

Forwarded to the Chief Engineer, Mysore, Bangalore, for favour of furnishing proposals in consultation with the Thungabhadra Board.

By order

For Secretary to Govt.

18/8 Rev. Dept.

FNO. 1387/TB 20/8

Bn 18/8

22) U.O.No. 1730 /TB. Dt 10-9-54.

1 file

Retransmitted to the Secretary to Government, Revenue Department, Bangalore.

23) The fixing of water rates in the Mysore area is a matter purely for Mysore Government and the concurrence of the Tungabhadra Board is not necessary.

24) It is seen from the file that the Special Chief Engineer has recommended the several rates which are agreed to by the Deputy Commissioner and the Revenue Commissioner. It is also stated that the rates are similar to those adopted by the Andhra Government. Further action may, therefore, be taken to notify the area proposed to be irrigated and also to implement the other recommendations.

M. S. Rangadhama

~~C.E. Tungabhadra~~ 8.9.54

Chief Engineer of Mysore.

SRS/2/9/54.

SECRETARY TO GOVERNMENT NO ..... 10 SEP 1954 REVENUE DEPARTMENT

25) For perusal. The water-rate that is being levied in Mysore district under major irrigation projects is Rs 10 per acre per annum in U.C. Areas and less in other areas.

26) The present proposal is to levy water-rate proposals which system

Note.—Contn. Sheet

T.B. P. Water rates for Mysore State area —

File No. of 195 . 1015/R2 | Mysore Government Secretariat

Serial No.

system is not in vogue in our State. The water-rate to be fixed under the Land Revenue Code is on the basis of annual assessments.

27) The rates proposed are now are under Sec 14 of the Irrigation Act. But no rules have been framed under that section. It would be uniform policy and in the interest of ~~good~~ uniform administration in the matter of collection, remissions and realising village accounts etc to levy suitable annual water rate instead of crop-wise rate, and the annual rate may perhaps be fixed at Rs 10/- or Rs 12/-.

Remarks.
(Submit the Jt. Dy P.W.D & H.Dy)
15/9/54

28) Levy of contribution and water-rate will have to be done under the Irrigation Act which has not been extended to Bellary. The proposals be also figured in the investigations of the Planning Commission team which visited the area recently.

29) It is proposed to impose water rate in the Project Area not to be collected at appropriate rate

Rec'd 16/9/54

WD 04861—GPB—60,000—22-1-54

29-9-54

Rec'd 30/9/54

Rec'd 17/9/54

SECRETARY TO GOVERNMENT NO 7349 17 SEP 1954 REVENUE DEPARTMENT

THE MINISTER FOR REVENUE 4321 17 SEP 1954 OFFICE OF THE WORKS

T.B.P. — Water rates for Mysore & Lake area 1015/R 2

Mysore Government — Secretariat

File No. 799/6027 DW(A5) of 195 . [App. F. III 2

Serial No.

799/A

22) The abnormal delay in the retransmission of the papers, which had been mislaid, is regretted.

20-11-54

Asst Secy
P. W. D.

33) In view of the orders contained in paras 28 to 31 on the previous page it is for consideration whether it seems that the Contribution and Water rate in respect of the Tungabhadra project ayacut is likely to be fixed on the basis of the recommendations of the Planning Commission team (Sri Ramamurthy Committee). The Report of that team has been received and it is likely to be discussed at a meeting of Officers and action taken as per decisions to be arrived at. It is therefore ordered whether any action has to be taken on this file.

29/11/54

No action at present.

11/12

16/12/54.

Note.—Contn. Sheet

Letter No. Rc. 5384/54 A2 dated 24th June 54 from the Deputy Commissioner, Bellary District to the Revenue Commissioner in Mysore, Bangalore.

Sub:-Irrigation-Major-Bellary Dist-Tungabhadra project-supply of water from June 54-fixation of water-rate Issue of notification-proposals report sent.

Ref:-RC. No. B1-PR. 433-403/53-54 dated 16-6-54.

The Tungabhadra project has been conceived as a famine relief project. The average ryot is very poor. Thepopulation is also thin and agricultural labour is inadequate for extension of wet cultivation. The ryots are not considered to be very industrious and the quality of agriculture is low. Now the question of levey of water rate has to be considered. The Government of Madras have provisionally published the rates to be ~~xxx~~ levied in respect of the crops raised with the aid of water from T.B.P. reservoir. The Andhra Government have also adopted the same rates. They are given below:-

1. Duffasal crops Rs. 18 per acre.
2. Early long duration paddy Rs. 12 per acre.
3. Later short duration paddy Rs. 7 per acre.
4. Dry irrigated crops.
   a. food crops Rs. 4/-per acre.
   b. commercial crop Rs. 6/-per acre.

These rates are subject to gradation in the levy of water-cess i.e. ¼ of the rates specified in the first year of irrigation at ½ in the 2nd year; at ¾ in the 3rd year and at full rates in the 4th year and subsequent years. If this graded levey of watercess is taken into consideration the amount which the ryot has to pay at the outset for utilising water for the irrigation of crops will not be much. These rates are reasonable and they may be recommended to be levied.

2. The Executive Engineer, Special Irrigation Division, Bellary has furnished a statement of major and minor distributories ready for allowing water to an extent of 23,333 acres. A notification stating that water will be made available for irrigating 23,333 acres will have to be published. Action may kindly be taken for the issue of a formal notification in this regard. A copy of RC. No. 263/M/ 10-6-54 of the Executive Engineer, Special Irrigation Division, Bellary is enclosed.

Copy of Government Revenue Department memorandum No. 17562 H/ 52-17 dated 13-july 53.

Sub:-irrigation-Tungabhadra project-water cess-levy under the irrigation cess act-draft rules-objections-Revenue Commissioner.

Ref:-memorandum No. 17562 H/52-14, Revenue Deparrment, dated 1-6-53 from Sri Venkoba Rao petition dated 3-7-53.

A copy of the petition quoted is forwarded to the Board of Revenue for remarks. The Board is requested to expedite its report calleed for in para 2 of the memorandum quoted a reminder in respect of which was also sent in memorandum No. 17562/H/53-12, Revenue Dated 3-7-53.

Copy of petition from Sri G. Venkoba rao retired sub Registrar Gandhinagar 1st Rd. Bellary dated 3rd July 53.

I submit the following objections and suggestions regarding the draft rules under Irrigationcess act published in the Fort St. George Gazette part 1 dated 1-6-53, in respect of the Tungabhadra project lands.

I submit that the rates of water cessprovisionally levied too high for the famine districts of Bellary in the initial stages are concessions shown to the richer districts of circles Mettur and Cauveri delta for the following reasons.

The Government have provisionally levied at the following rates:-

1. Duffasal crop per acre ... 18/-
2. early long duration paddy 12/-

later short duration paddy Rs. 7/-
- -ry irrigation crop:-
a. food crop 4/-
b. commercial crop 6/-

They have graded these rates at 1/4, 1/2, 3/4 and full rate from 1st to 4th year repsectively.

In respect of Mettur project lands the Government in the past exempted the lands from payment of land revenue for a period of 5 years at the intitital stages because of the difficulties in bringing the land to cultivation. In respect of other projects also they have shown similar concession in the interests of development of agriculture. Subsequently the Government levied at the rate of Rs. 5/- in Mettur and Cauvery detltas as water rate, since 1930. The above concession has none become a permanent measure also. In the equally rich circar districts also the water rates are light viz., Rs. 64/- in the Krishan and Godavari areas. (vice also budget speech of the leader of the opposition and the admission of the public works Department, Minister as reported in the Hindu dated 14-7-52).

It is not known what ain Bellary district has committed for the enhancement of rates in the Tungabhadra project. Possibly it may be due to the cost of construction. but it is well known that the Tungabhadra project area is in the worst famine zone in the state and the project was sanctioned and executed as a protective scheme against a resurring famine and not as a revenue yielding one. It is therefore not just to levey rates at a higher levely than in the Mettur area. The Circars and the southern districts are blessed both by the rain fall and irrigation scheme. The Bellary district is economically very poor and agriculture is not a paying proposition. The popylation in the project area is sparse as there are no facilities of life and the area is famine driven. If the dry project land is to be developed and made fit for irrigation investment of capital or levelling terracing and building , heavily meanuring, andimprovement of the texture of the soil are necessary. All these means money which the people cannot afford for some years till the land is made to yield by the aboye said processes. The government is aware that for at least 5 years the lands will not yeild properly and so in the past the Government have shown concessions of land revenue by full exemption for 5 years in the case of Mettur and other projects and subsequantly levied only Rs. 5/-per acre in Mettur Cauvery deltas. The Bellary district also should be shown the same concessions atleast to enable the people to develop their lands against initial difficultuies.

The speed of development is of essence in view of the food shortage We should also make Rajaji's policy of decontrol of food a success. Water is not let into the canal from 1-7-53 But as things stand at present no land is levelled, terraced and bunded and made ready to receive water as the process requires mechanisation by way of tractors on a large scale and investment of capital. This important work is not done in advance of water supply unfortunately. The Agricultural Department is insisting upon advance payment at Rs. 12/-per hour for levelling as per rules. Government has sanctioned grant of loans but there will be delay and red taps in the grant of individual loans and actual payments. In view of all these difficultires it is necessary that the ryots should be free to bring the land into cultivation without the fear of prohibitive water rates at the initial stages. It is necessary that all the lands should be levelled at once by the Government as per their pilot scheme and the cost recovered from the owners by the security of their lands and by their undertaking to abide by the rules of the Govt. in the matter of the recovery of the loan. The other formalities required may be carried out in due course to speed up levelling of the lands and starting cultivation.

In conclusion it is prayed:- 1. That the water rates should not be levied for a period of 5 years and concessional rates of a more liberal character than is done in the draft rules should be granted.

2. to take up levelling, terracing and bunding atonce by Govt. without insisting advance payment and creating an arrangement by which the

Copy of No. 263 M dated 10-6-54 from the Exe. Engineer, Special Irrigation Division, Bellary.

Ref:-development of ayacut below L.L.C. in Bellary division
Ref:-your No. RC. 5384/54 A2 dated 4-5-54.

I write to state that I had contacted the Special Deputy Collector at Adoni in connection with the ayacut statement below L.L.C. in Bellary District. I was given to understand by him that the statement was under despatch to you.

In this connection it was pointed out that the localised ayacut comprising to nearly 92,000 and odd acres below Low Level canal has not been notified in the Mysore Gazette as yet, objections called for and t$/ other formailities observed.

In the mean while I am enclosed herewith a statement of Major and Minor distributaries which are expected to be ready to take water by end of June 54. The localised ayacut below the distributsries under the different crop patterns is also furnished.

I request that needful action may kindly be taken for publicity in the concerned villages regarding the avilability of water for irrigation.

I am add here that due to some works that are in progress in the main canal water is likely to be allowed in the canal itself from the 1st of July 1954only.

It was learnt at Adoni that some charges have been effected in the localised ayacut to the East of Hagari i.e., from 36 to 44. These charges have not been communicated to this office. I request that the details of ayacut survey number war from 36 to 44 sluices may kindly be furnished to me.

" COPIES "

for Revenue Commissioner. 17/8

granted could be recovered effectively without the formalities involving delay in the processof preparing the land for irrigation.

Statement of Minor and Major distrivutaries(with their ayacuts) ready for allowing water in June 1954.

Name of Distributory	dry	wet	Perenial
SANAPURAM DISTRIBUTARY:-			
1 L	448.00	~~448.00~~	-
1 L	-	140.00	-
2 R	-	140.00	-
2 R	448.00	-	-
3 T.E.	-	-	870.31
4 T.E.	-	-	1140.00
5. T.E.	-	-	654.00
MUDDAPURAM NO. I			
1 L	-	65.42	-
1 L	219.66	-	-
2 R	-	100.02	-
2 R	324.75	-	-
3 T.E.	-	-	312.37
4 T.E.	-	-	513-68
5 T.E.	-	-	1306.34
D.P. No. 1	207-85	75.25	204.00
" 2	-	-	669.86
" 3	-	-	187.82
MUDDAPURAM NO. 2			
1 R	821.36	-	-
1 R	-	254.38	-
2 T.E.	-	199.55	-
2 T.E.	623.78	-	-
3 T.E.	-	168.77	-
3 T.E.	545-15	-	-
4 T.E.	-	130.05	-
4 T.E.	422.54	-	-
NADIVI DISTRIBUTARY			
1 R	48.00	-	-
2. R	112.06	-	-
D.P. No. 4	162.38	50.24	-
" 5	129.88	-	-
" 13	159.88	-	-
" 14	67.25	20.96	-
" 15	78.00	-	-
" 16	48.49	15.09	-
BALAKUNDI DISTRIBUTARY.			
1. R	-	-	273.51
2. L	-	-	152.51
3. T.E.	-	-	260.10
MALAPURAM NO II			
1 L	-	-	103.36
2 R	-	-	115.06
3 T.E.	-	-	64.46
4 T.E.	-	-	195.49

1	2	3	4
MAYALAPURAM NO. I			
1. R	-	-	91.29
2 L.	-	-	90.65
3 T.E.	-	-	70.83
4 L.	-	-	78.60
5 T.E.	-	-	678.98
BHAGAVADI			
16 L	-	-	493.05
22 R	-	-	81.18
20 R	-	-	113.13
21 L	-	-	471.59
23 L	-	-	281.10
D.P. No. 21	641.09	199.02	-
17(A)	420.91	-	-
MUDATANUR			
2 L	862.18	-	-
2 L	-	279.46	-
D.P.No. 19	592-85	191.26	-
" 26	-	-	1356.00
" 27	-	-	462.00
" 29	464.39	145.46	-
" 30	513.45	160.02	-
" 32	224.83	74.08	-
" 33	208.00	70.31	-
" ~~38/3xLx~~	~~36x24~~	x	x
" ~~39/4xL~~	~~12x22~~		
" 38	-	55.93	
3 L	56.94	-	-
3 L			
" 39	-	15.00	-
4 L	17.22	-	
4 L			
" 40	104.48	-	-
5 L	-	89.53	-
5 L			
" 42			
6 L	47.00	-	-
6 L	-	30.78	-
" 42			
7 L	37.78	-	-
7 L	-	27.50	-
" 43			
8 L	153.49	-	-
8 L	-	20.17	-
Total	9211.61	2718.25	11804.06
Grand Total	9211.61	2718.25	11404.06
	-	23333.92	-

3036/R2

1370

From
The R.C.

Letter No. BJ-P.R. 433-43/53-54. dt 27-9-54 requesting early orders in the matter.

1) The file referred to in PWD has been returned to the P.W. Secty. on 15/9/54 with D.No. 10157/R2 after furnishing the opinion.

2) If approved, the R.C. may be intimated accordingly.

3) Draft put up for approval.

21/10

4) Request PWD to return the case file after necessary action.

23-10-54

799 PW 23/5

5) The file referred to in para 1 supra has been worked in the P.W. Secty and it was referred to this branch for furnishing the opinion. The same was returned to this branch on 15/9/54. If approved, the references may be sent to the P.W. Secty. in confirmation.

22
28/10

26-10-54

6) Asst Secy
P.W.D.

28/10

3036/R2 U.P. - Levy of water cess. 602/PW(A5)

1) The file referred to by the Rev. Branch overleaf bears P.W. Diary No. 799/Rv. It was verified from the Branch Diary that the file was sent to the A/S Rev. on 22.9.54 and has not yet been received back. The Rev. Branch is taking necessary action on it. Hence this may be returned to the A/S. Rev. Branch for necessary action.

8) Supdt Rev/Rv 13/11

13/11/54.

The file referred to in Para 1 had been returned to the Supdt. P.W. Sect on 16/9/54, and withdrawn vide 1015/R2 it is acknowledged on 16/9/54. Hence this may be returned to the P.W. Sect.

16/11

Supdt P.W.Sect) 16/11

On AD 16/11

1915/R2
1155

1015/R2

Government of Mysore.

REVENUE SECRETARIAT
3036/RL
1 - OCT
GOVERNMENT OF MYSORE

Office of the Revenue Commissioner
in Mysore,

No.B1-P.R.433-43/53-54.

Bangalore, Dated the 27th Septr, 54

SECRETARY TO GOVERNMENT
NO 69
30 SEP 1954
REVENUE DEPARTMENT

The Secretary to the Government of Mysore,
Revenue Department, Bangalore.

Sir,

Subject:- Irrigation-Bellary District-Tunga Bhadra Project-levy of water cess Further report.

Reference:- 1. Your Un-official note dated 10-6-54
2. This office letter No.B1-P.R.433-43/53-54 dated 14-7-1954.
3. Your letter R.8935 dated 17-9-1954 enclosing the letters of the Andhra and Hyderabad Government on the subject in question.

With reference to the above subject and in continuation of my reply to your Un-Official Note 1st cited above, I write to state that the rates of water cess adopted in the Andhra State, for irrigation under the Tunga Bhadra Project may be adopted in this state as well.

A copy of Government Order M.S.No. 509 dated 25th March 1954 of the Andhra Government is enclosed for ready reference.

Early orders of the Government may be obtained on the question of the levy of water cess.

Yours faithfully,

(V.Byrappa).
For Revenue Commissioner.

Draft approved by the Revenue Commissioner.

Government of Andhra.

Abstract.

ASSESSMENT-Chargefor.water-Tungabhadra Project-Levy of Watercess-Rules-Published.

REVENUE DEPARTMENT.

G.O.Ms. No.509 Dated 25th March 1954,
Read the following:-

Government Memorandum No.17562-H/52-14 dated 1-6-53.
Board's Ref.No.H-2528/53, dated 11-7-53.
B.P.Rt.1687 dated 21-11-1953.

--:oOo:--

O R D E R.

In the memorandum first cited, the Government have notified the draft ~~rules~~ rules, reading the rates of water-cess to be provisionally levied in respect of the crops raised with the aid of water from the Tungabhadra Project, the only one objection petition from Sri G.Venkoba Rao, Retired Sub.Registrar, Bellary was received, and even that was received after the date prescribed for the purpose; but Still the Government scrutinised the objection in consultation with the Collectors concerned, Board of Revenue and the Inter Departmental conference. They considered that there is no case for a total exemption from Watercess or even for a reduction of the rates proposed, but that only the gradation might be spread over 5 years instead of four, as suggested by Inter Departmental Conference held on 12-8-53 and also supported by the Board of Revenue. The Government accordingly confirm the draft rules published in the notification dated 1-6-53 subject to the modification in regard to the gradatinn referred to.

2, The notification appended to this order will be published in the Andhra Gazette. The Collector of Kurnool is requested to publish it in Telugu in the Kurnool District Gazette.

(BY ORDER OF THE GOVERNOR).

K.S.Prakasa Rao.
Deputy Secretary to Government.

To
The Board of Revenue(Land Revenue), Andhra, Madras.
The collector of Kurnool.
The Special Officer, Tungabhadra Project, Adoni.
The Officer-in-charge, Government Press(para 2 and notification) only for publication.
The Public Works and Transport Department.
The Chief Engineer(Irrigation(Kurnool.
The Revenue(Food Production) Department.
The Finance Department.

"Copy".

(V.Byrappa).
For Revenue Commissioner.

yss/-

Subject: Jurisdiction Bellary, Dt -- T. B. P. Levy & water cess - Further report.

Refer. your letter no B1-P.R. 433-43/53-14 4.279-B2

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form*).

To

The R. C.

Sir,

I am directed to state that the connected references have been transferred to the Secretary to Govt public works department on 15/9/54.

Further correspondence may kindly be addressed to the ~~Distt~~ Asst Officer.

Y. F.

To Irrig Dept & Rev. Dept

22/10

Copy to P.W. & Tr.

22/10